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From an engraving by RENOLD ELSTRACKE in the Print Room of the British Museum

[*Frontispiece*

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PREFACE

IT is certainly more than half a century since I first heard the Overbury case discussed. I was at a London school and lived at home. I had the privilege, therefore, of dining at the Victorian hour of six at my father's table before he retired to his library and his briefs, when it was my lot to toil up long flights of London stairs to a little study of my own and home-work as it was called.

Many notable lawyers, juniors to Serjeant Parry in cases of importance, gladly came home with him from the Temple to dinner and consultation. I fancy they came the more willingly that at the dinner-table briefs and cases of the day were never mentioned, though the talk often turned on letters, plays, and history, in which my father was well read.

As I remember, William Willis was with us that night. He was afterwards my brother judge—in those days a rising junior and eager politician, but, more to the purpose of the hour, a man steeped in Tudor writings and learned in the history of the Puritans. The talk turned on a recent edition of Overbury's *Vision*—I have the book still—and this led to criticism of Overbury's poem, "A Wife," and the "Characters," and thence, I suppose, to the story of his life. I remember no details of the literary talk, for it was not until the story of the murder came on the carpet that I began to listen with open ears and mouth. It seemed a fascinating story, and evidently there were two sides to it at least, as indeed there must be to make the balance of a well-told tale.

For my father contended strongly in favour of the innocence of Somerset, and Willis firmly stood out for his guilt. My father, as I suspect to tease Willis, made fun of the great Coke, which shocked the Protestant in his learned junior and led to further controversy. Both joined voices, as I seem to remember, in condemnation of Francis Bacon's conduct of the case, which they agreed sinned against the sacred canons of advocacy.

Returning to the facts of the Overbury Mystery, Frances Howard's name came into the talk, by which the two sides of the story were extended to meet a third, and, though I knew nothing of such things in those days, we were now on the edge of an eternal triangle. But at this moment my mother rose from the table and, looking across at me, said, "Teddy, it is time you went up to your home lessons."

I opened the door for my mother and closed it after us with a pang of regret. It seemed hard to relinquish a romance of irregular lives for the squalid reality of still more irregular verbs.

Nevertheless, I had made up my mind that the story should be "continued in our next." On the excuse that there were dictionaries and history books in my father's library which I might want to consult, and a fire ready on a winter afternoon when I returned from school, I had the run of the room before the dinner hour. This was the best time of the day. Not that I wasted these precious hours, I am glad to say, on scholastic gymnastics, since books of plays, romance, and biography seemed so much more to my purpose.

On an upper shelf in the middle of a large bookcase—you reached it by a three-step ladder—were six delightful volumes of trials. My father set great store by them and recommended the historical ones to my attention. We did not know then, I think, that they were collected by George Borrow. I read his narrative of the Overbury case without delay. I may have looked into the State Trials at the same time, but these reports were too

technical for my unfledged taste. Borrow's dramas of the law were as vivid as *Robinson Crusoe*. From the first day that I read of the mystery of Overbury's death I recognised that here was a first-rate murder story full of strange and wicked plots, with the romance of a beautiful woman as the base of it.

It was at a much later date that I returned to this fascinating story and began to collect materials for an edition of the trials. I found, as the school books say, that "historians differ," and I began to learn that a satisfactory history of the Overbury affair was pretty nigh impossible. For the story of Overbury is like the course of "a ship that passeth over the waves of the water, which when it is gone by, the trace thereof cannot be found, neither the pathway of the keel in the waves."

In the State Trials themselves you seem to be on firm ground, but even here when you go to original records you discover that the reporters have been edited and the depositions of the witnesses tampered with. No two historians agree on their facts or on the interpretation thereof. The *dramatis personæ* are gods or swine according to the political bias of their biographers.

The learned Spedding and the faithful Gardiner are true historians. Each paints the same figure in ivory black or Chinese white according to the taste and fancy of the artist. Both pour contempt on the learned Amos, the patient lawyer, who ploughed and harrowed and sowed in these Tudor fields of mystery, yet both reap such armfuls of his harvest that they might—had they not been true scholars—have differed from his conclusions with more grateful courtesy.

That Spedding's splendid hero, Francis Bacon, may remain splendid and something of a hero, the man of history has to elude the sad truth of the Attorney-General's advocacy against Somerset, as he had, in an earlier volume, glossed over his hero's faithless conduct towards Essex. In much the same fashion the grand old Gardiner cannot even think evil of his beloved

James I, and is inclined to bestow upon him the white flower of a blameless life, whilst Professor Amos regards him as a potential murderer, and Dr. William Harris, with Nonconformist energy and bias, pictures him as a vicious poltroon.

The truth seems to be that historians often fail to get the atmosphere of the period they work in. Dryasdust, groping painfully among State papers, not unnaturally comes to the conclusion that what he has discovered with such difficulty must be real gold. He honestly believes that a minute, or draft, or treaty is more likely to represent facts than a statement in a letter, of one who knew, to a friend to whom he wished to send truthful news.

But who with modern experience would place the historical value of a minute or draft of a department against the first-hand statement of a man who was an actor in the business? No one but an historian. Carlyle, we know, is not to-day's fashion, but he was right when he turned from the carefully drafted and craftily edited State papers of the seventeenth century to the news letters of the time, in search of truth.

The State paper is, too often, dead lumber that has never lived. The letter from friend to friend is at least a human document. Of such letters Carlyle spoke hopefully. "Here," he says, "is an irregular row of beacon-fires, once all luminous as suns; and with certain inextinguishable erubescence still in the abysses of the deep, dead Night. Let us look here. In shadowy outlines, in dimmer and dimmer crowding forms, the very figure of the old dead Time itself may perhaps be faintly discernible here!"

Truly you get real glimpses of the truths of things in news letters, and even in what are called the scandal chronicles of the time. What Mr. Pory writes to Sir R. Cotton, what Mr. Chamberlaine has to say about it all to Sir Ralph Winwood at the Hague, what Mr. Trumball, our resident in Brussels, learns of the affair,

and Sir Dudley Carleton in Venice and Mr. Beaulieu in Paris—these are the scraps of which some sort of historical pudding may be made, with a strong flavour of romance, maybe, and a seductive aroma of human mystery. At least they seem more hopeful material than depositions of bullied witnesses, cunningly edited by Lord Chief Justice Coke.

It is strange, too, how some of Anthony Weldon's romantic scandal, contemptuously rejected by the graver historians, has been verified by news letters coming to light in modern days from forgotten muniment rooms, now that there is no longer danger of the Tower and the scaffold for those who kept them.

"I pray thee burn this letter as soon as read," is a constant postscript of the Court news-man. Fortunately, the magpie instinct of humanity prevailed; and perhaps there was safety in keeping your friend's recorded thought, since if he chanced to break with you and sought to expose you to your enemies you could counter him with his own whispered treason.

But if learned men, as I thought, could make no clear solution of the Overbury Mystery, of what use were my collectanea? Weave them how one might they made no living tapestry of the affair. Neither history nor biography could I make of the bundle, so I tied it up many years ago and left what I had written to ripen for many more than the nine years prescribed by the poet.

Yet ever and again I would add to my library a volume of the works of Overbury, or Francis Osborne, or a copy of *Aulicus Coquinariæ*, or Cecil's secret correspondence with James in Scotland, and thus the desire to open my bundle and sort out what, at all events to me, were treasures of memory, and to add to these, led me to consider whether there was any form in which I could set down this story with some enjoyment to myself, if not to others.

When I was writing *The Drama of the Law* I rescued

from my store material for a miniature of pretty Mistress Anne Turner and her first and last appearance as a heroine of the Law Courts. A kindly critic declared that she wanted more—wanted, indeed, the whole romance of Frances Howard and anything that went with it as trimmings.

It was thus that I was led to look into the affair again and see how the story could best be told, and I concluded that what was wanted was something in the nature of a chronicle of the facts and a drama of the law. For in this way only could I see any hope of making the people of the story as intelligible to the reader as they must have been when they were living and all their neighbours were talking about them.

It is by this method that your chronicler gains veracity and gives entertainment. He makes history, it is true, but he never fails to tell you those pretty details and fateful words that you know are just to the occasion. He makes his characters "say the things they actually would have said if they had known what they were really doing."

For when that pious lady Queen Philippa of England died at Windsor Castle, we know that Sir John Froissart was not present, for it was twenty-seven years since he had been in England. Nevertheless, we do not resent his telling us how the dear lady "extended her right hand from under the bed clothes," nor do we cavil at the words of the dying speech she made to her husband, since the drama of it fits in with our hopes and beliefs. For all chronicles must be written and read in a spirit of faith, and Froissart no doubt believed that he was recording the true facts of the scene just as he knew he was setting down a true fact when he tells us that the great Queen's spirit was "caught by the holy angels and carried to the glory of heaven."

For myself I enjoy grubbing in old books, extracting long passages from them that bear on the matter in hand, piecing them together, comparing them, guessing

at their falsities and blunders and weaving my own tapestry out of the warp and weft of them. Then, too, how exhilarating to turn to the discriminating academic pictures the great historians have made of these same materials, and to marvel how it is that, in history, things that are equal to the same thing are always different from one another. The quarrels of authors are all for our delight. And of all authors historians are those who quarrel with greater zest and pageantry and heroic obstinacy. They are like the old-world knights in armour, battling in the tiltyard, with mace and two-handed sword, giving forth sparkling flashes of steel and noisy shouts of victory to thrill the onlooker, but happily not often dangerous to themselves or others.

But these hobbies are not for every reader, and there will be some who prefer to read the story of *The Overbury Mystery* in one volume rather than collect it from ancient records and letters and contradictory histories. And as the historians had, to my thinking, called their chapters history and written romance, I could at least write the romance of the story without calling it history.

Like Gaul, the Overbury story seemed to divide itself into three parts. There were the *dramatis personæ* to describe, there was the strange narrative of the Somerset marriage, and then, when the curtain should ring down on a happy ending, the extraordinary series of trials which, though elusively reported, might perhaps be placed on the stage for a general audience and the tragedy of them displayed.

Nor was it necessary to enforce any of the various historical solutions of the mystery and bend the facts to that end. To my mind the tale can be told and the reader enjoy his own solution. For one will read this as the story of the King and will make him the hero or villain of the peace. Another will weep over the sorrows of the beautiful Frances, and in pity of her cruel fate, like a weak juror, falter on the word of the verdict. Some will champion the innocence of the noble Somerset,

praising his steadfastness in adversity, whilst others will condemn his insolence in the face of his obvious guilt.

But for the poor Overbury, the dying prisoner in the Tower who was so evilly entreated, everyone must feel indignant pity at the story of his woe. For, surely, they will say, it was a foul murder! Or stay! is it not possible the poor wretch died of disease? And if it was murder, who planned the evil deed? And was it really ever done as it was planned, or how otherwise? Well, that is the Overbury Mystery.

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Part I: *Dramatis Personæ*

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Chapter I: *Thomas Overbury*

THAT an Overbury should become the centre of a Court intrigue, the victim of a tragedy, and the hero of an unsolved mystery, founded on rumours of adultery, murder, and witchcraft, instances the methods of the tricksy fingers of fate moulding the destiny of a common mortal.

For an Overbury in the age of Elizabeth stood for all that was respectable, professional, well-to-do, and provincial—one had almost written early Victorian. The Overbury family were of the noble fellowship of the landed gentry. For in the days of Elizabeth, as in the early days of Victoria, landed gentry were thought to be co-eternal with the everlasting hills. Human eyes could not see, human minds could not conceive, the gradual erosion that preceded the inevitable landslide.

There had always been Overburys on the Wolds of Gloucestershire. At the dawn of the seventeenth century Nicholas was the head of the family and the squire of Bourton-on-the-Hill. In his youth he had been a student of law, a swinge-buckler in the Temple, entertaining the bona-robas at taverns and fighting the fruiterers at the back of Gray's Inn. Then he had sown his wild oats and returned to Gloucestershire, wooed and won a Warwickshire neighbour's daughter, Mary Palmer of Compton-Scorpion, and settled down to a steady, professional career. To-day he was a bencher of the Middle Temple, Recorder of the City of Gloucester, and a Judge in Wales, riding the circuit time and again with his old clerk, John Guilby. His was the true way of an Overbury.

There were three sons of the marriage, Thomas,

Giles, and Walter. The two younger did well in the world and were rewarded by undistinguished knighthoods for loyal services of silence in Parliaments. The four girls, Frances, Mary, Margaret, and Meriall, you can picture in the still-room, or sewing in the window-seat, or accompanying their parents across the park to church, waiting for the husbands who duly arrived to carry them across the country to be mothers of new races of landed gentry in other counties.

Thomas was a youth of ambition and rejoiced the hearts of his parents by his studious ways and temperate demeanour, though these at his age were against family precedent. He became a gentleman commoner at Queen's College, Oxford, where he graduated at the age of sixteen. There he was noted for his proficiency in all the scholastic exercises of his day.

He attended Greek lectures, sat at the feet of rhetoricians, was acclaimed a master of sophisms, declamations, and skilful verses made in learned tongues. He early decided that knowledge was power, and cast himself for a leading part in the world of government, setting out to build himself a lordly career outside the curtilage of his Gloucestershire estate. He would leave the care of that to his father and brothers, and in due time he would be their patron as Sir Robert Cecil, the Queen's Secretary, was his patron and pattern to-day.

To this end he sacrificed his youth and knew nothing of the bona-robas and the cock-pit, and even shunned the Christmas dancing and the masques. But he was punctual at the moots and readings at the Middle Temple, and continued in London his Oxford studies. The pride of learning and literary achievement gave him almost more self-confidence than was requisite for his years, so that some who were above him in station, though below his stature of knowledge, regarded him with jealousy and spoke of him as insolent.

He begins his interesting career at the age of twenty, in the year 1601. Oxford and the Temple and the

days of apprenticeship are behind him and he is to ride into the wide world to seek his fortune. His shrewd father, looking ahead to the day which is shortly approaching when the great Queen shall pass away, has planned a visit for his son to Scotland, which is already a land of promise to those in search of place and future promotion. Nicholas gives his son sixty pounds and much good advice, and grants his clerk, John Guilby, leave of absence to ride with Master Tom to the City of Edinburgh with letters of introduction from the great Sir Robert Cecil himself and other of his friends.

The wise youth fully understands the purport of his mission; he has written already to his Oxford friend, William Cornwallis, son of Sir Charles, who was Prince Henry's guardian, and he has assured him of a hearty welcome and introductions to the Court and the King's servants.

The day of departure arrives, and on a bright summer morning the horses are brought round and the family and servants gather in front of the great door of the house to say farewell. The good Nicholas babbles repetition of sage counsel, the poor mother clings to her first-born with tears and entreaty, mingling texts of blessing with warnings of damp sheets and evil women. The younger children wave their hero a joyous farewell, envying him his flight from the nest.

He continues courteous, kindly tolerating their fussy goodwill, but eager to be away, and at last breaks from his mother's embrace and jumps into his saddle. At the corner of the wood he turns round and dutifully waves farewell, and as he sees the last of the old house his heart beats with joy. His sacrifices are to be rewarded. His foot is now on the threshold of the open world.

For just as Thomas Overbury had taken no interest in the ancientry of his college or their present excellence at football, so he had no will to play the elder brother and smell of horses and dogs and soil his hands with baking, brewing, and greasing. He had great ambitions

of public service, and looked to Scotland to provide him with new patrons and opportunities. His own abilities would do the rest.

Through Stratford, Warwick, and Coventry they made their way to the North Road, journeying in leisurely fashion, and reaching Berwick in some ten days or a fortnight, for they stayed at York a whole day and rested twice at friends' houses. Thence riding along the coast to Dunbar and through Haddington, they reached the links of Musselburgh, and were now in sight of the crags of Edinburgh. Entering the city, they placed their horses at a stable and took lodgings in the Bell-wind, and the next day Master Overbury presented himself to his friend, William Cornwallis, who received his fellow-student with open arms. Together they visited the Castle and the Courts, where Overbury was greatly impressed with the fourteen Lords sitting in the inner house in their robes of violet, faced with crimson, which was a more imposing sight than any that he had seen in Westminster Hall.

Sir Robert Cecil had given him several important letters of introduction, which he duly presented, and waited on the Lords and gentlemen to whom they were addressed. One of these, Mr. Edward Bruce, received him with the greatest courtesy, and it was through his influence that the Earl of Mar was graciously pleased to present the young man at Court, mentioning to His Majesty that he had been sent to Edinburgh by Sir Robert Cecil, the Queen's Secretary. Upon this His Majesty was pleased to inquire very kindly after Sir Robert's health, and discoursed with Master Overbury in the Latin tongue, correcting his accent, but praising his syntax.

It became clear to the wise youth that many at Holyrood were in near touch with Whitehall, and that it was almost openly spoken that Sir Robert had decided for the Scots succession. Overbury was closely examined by Mr. Bruce and the Earl of Mar as to the condition

of affairs in England, and the talk of the lawyers and the gossip of St. Paul's, about which he replied with such modesty and intelligence that his hosts were well pleased with the young man and commended him for his bearing.

He had rested as pleasantly as a man might in the somewhat coarse surroundings of the city for several summer weeks when Mr. Edward Bruce invited him to his country seat, which was on the west side of Loch Leven. Here he found a very pretty park with many natural walks in it and neat gardens and orchards, and especially a great abundance of cherry trees, bearing a large and sweet black cherry. The house and grounds were well sheltered with great sycamores and fine fir trees.

In this pleasant abode he remained for several weeks and enjoyed excellent sport, fishing in the Loch and the neighbouring streams. Mr. Bruce had two sons of about Overbury's own age, and a young cousin of fourteen was staying at the house. He was a rough young fellow but well formed, with curly auburn hair and a merry smile, and seemed to have neither care nor ambition for anything but sport and good living. He had been a page at Holyrood for a few weeks, but his careless manners had led to his dismissal. His task had been to say the Latin grace before meat and the blessing at the end of dinner in unison with two other boys of his own age. But his blunders in the business had caused a breakdown in the blessing, which had angered the King, and the boy was sent home.

His parents had arranged for him to go to France with Lord Hay in the autumn, and there it was hoped he would acquire better manners. Robert Carr, for that was the boy's name—Robin to his companions—took a great fancy to young Master Overbury, and listened to his wise talk with the open mouth of veneration. Master Tom, on his part, played the patron to the lad whom he christened the young Sun-God, and told him tales of college life and the Temple and the London playhouses and taverns and ordinaries, so that

the pretty Scots boy thought him a veteran in vice and adventure and honoured him accordingly. Mr. Bruce laughed at the friendship of the grave student and the rough out-door lad, and nick-named them David and Jonathan.

One night they came into supper after a glorious day of sport. Kale and broth, powdered beef, mutton, roast and boiled, venison pies, or goose, and cheese, all disappeared before the tide of their hunger, and the serving-men were kept running for cups of strong ale to the cellar.

When supper was over Robert brought round a last cup of beer and a wheat loaf and a knife, playing the page not without a winning grace as he handed Mr. Bruce and each of his guests first the cup and then cut them a little bread and recited, in his clear treble, the old rubric, " Incipe cum liquido sicco finire memento."

" It will be the last memento, I fear," said Mr. Bruce to Overbury.

" Then you have work for me to do, sir ? " said Overbury with pleasure.

" You are to be the honoured bearer of messages for your patron, Sir Robert. We may say that openly this side of the border, but after Berwick you will not boast of your errand."

Master Overbury nodded sagely. His good sense was not likely to be blurred by excitement. His heart may have beat a little faster within, but he accepted the honour as a turn in the wheel of fortune he had a right to expect. Mr. Bruce admired the calmness of the youth. It gave him a sense of safety in his mission. Overbury was elated and happy, for he had made his mark among these great ones. He had been chosen for service. He had won his spurs. He was going to bear the King's own letter to Sir Robert Cecil, and Cecil would have to receive him personally as a messenger from royalty. His foot was on the ladder, the top of which was lost in the clouds. He had commenced.

He rose to go to the stables and give orders to Guilby for an early start. Robin Carr had slipped out of the hall, unnoticed.

"I shall not see you, I fear, to-morrow, and maybe we shall not meet again," said Mr. Bruce rather sadly. "I have enjoyed your company here vastly, and you must tell your good father I envy him so sensible a son."

Master Overbury raised Mr. Bruce's hand to his lips and kissed it reverently. He made his adieu to the sons and their friends and went out across the court-yard, to the servants' quarters, to give orders for the morning.

As he went up to his bedroom he remembered he had not said farewell to his young friend, Carr. He would miss the company of that golden lad, and he was sorry he could not carry him away as his page. He smiled at the idea, thinking what a useless luxury his service would be to anyone who gave him employ.

He passed the boy's room and pushed the door open. The lad was lying on his trestle bed, sobbing as if his heart would break. Overbury laid his hand on his shoulder in kindly sympathy.

"Why, Robin, this is playing the girl."

But the boy was not to be shamed out of his sorrow, and wept and sobbed and refused to be comforted, crying out that it was like death, and they would never meet again. Master Overbury had never seen, and could not himself feel such love of friendship, but he pitied the boy and took him by his hand and sat by him for a while until he was calmer, and then, like a kind father, kissed him on his forehead and bade him good night.

As the young man lay awake thinking over his good fortune and rehearsing his interview with the great Secretary, the vision of the tear-stained face of his young friend threw his thoughts aside and he found himself murmuring with a sigh: "Very pleasant hast thou been unto me; thy love to me was wonderful, passing the love of women." Though why a wise youth,

who knew that friendship was nothing of that nature, but rather an alliance for the comprehension of fortunes, should find his mind solacing his wakefulness with the folly of sentiment, he could not understand. Yet, as he fell asleep, it was the text which pushed him into the deeps of slumber.

Chapter II: *James I*

THE great Queen is dead. Sir Robert Carey, her kinsman and creature, had sat booted and spurred watching what he calls "her Christian and comfortable end." Satisfied that the sun had at last really sunk beyond the horizon of the world, he evades the orders of the Council and gallops north in record time to be the first to see the rising of the new sun and earn himself a place in history as a classic example of mean ingratitude.

Sir Robert Cecil breathes more freely. There was no longer need to write letters to James in cipher and by the pens of others. He was going to serve and rule his country in his own name. The Queen's "little elf" was to be the King's "little beagle." The lonely, deformed dwarf, with his wry-neck, crooked back, and splay foot, had within his strange anatomy a heart of oak and a mind of steel. Moreover, he could govern.

Like all Cecils, he was a good patriot, loved his own country first, loved it, indeed, so greatly that he treated it as if it were his own and became the freeholder of broad acres of it. But though he took great rewards, he did honest suit and service for them. He was a pensioner of Spain but he served England. The Spaniards paid their tribute to Robertus Diabolus, but the devil cheated them of their dues, and he used his Spanish friends as spy-alls and whisperers in their own Court.

This man was the patron and master of young Overbury, who thus had the vantage of being reared in the high school of diplomacy. To-day his prospects were of the brightest. He was to be a servant of the Secretary.

Like many another clever, pushing young man, he looked to the new reign as an opportunity for place and advancement. Cecil used him for a time, found him too earnest on his own behalf, perhaps even feared his eager abilities and ambition, and after a few months sent him on his travels to France and the Low Countries, to his bitter chagrin and disappointment. But for the moment he was full of high hopes, showing them too eagerly, perhaps, before his master, as he busied himself at Theobalds preparing for the arrival of the King.

His Majesty set out from Edinburgh on April 5th, 1603, and started on his royal progress with a magnificence to which he had hitherto been a stranger. At every halt there was feasting, hunting, and the cheering of loyal subjects, and by May 3rd the King was within call of London and had reached Sir Robert Cecil's princely manor of Theobalds, near Cheshunt, in Hertfordshire.

The house stood back from the common street-way by the space of a furlong, and an avenue of young elms and ash trees led from the highway to the first court. An incredible concourse of people had gathered from all the home counties to see and cheer their King, and when they caught sight of the procession of the Sheriff, with his one hundred and fifty followers in their parti-coloured red and yellow hats and feathers, and heard the call of the trumpets, the whole country-side left work and horses and carts to shift for themselves and rushed towards Theobalds, throwing their hats in the air and cheering uproariously.

What they cheered and applauded was a King endowed with divine rights. But all that they saw in fact was an uncouth man lolling on an ambling steed which he scarcely attempted to manage. For it was a royal maxim that "a horse never stumbled but when he was reined." The strange creature was wrapped in swaddling garments, doublets, and breeches, heavily quilted to save his coward carcase from the stiletto of which he lived in constant fear.

Their new King was indeed a very ordinary human

being, corpulent, of middle stature, inclined to obesity, with a full, ruddy face with light brown hair tinged with grey. His large eyes were for ever rolling at any stranger who came into his presence, insomuch that the timid feared him and were put out of countenance by his ill manners. His beard was thin. His tongue, too large for his mouth, made him speak in mumbling fashion, and when he ate and drank, which he did gluttonously, the wine rolled out of each side of his mouth into the cup. Yet he had vanity, and was proud of his soft skin—" as soft as taffeta sarsnet," says an old writer—and to preserve his hands never washed them, but only rubbed his fingers' ends slightly with the wet end of a napkin.

His legs were weak from ill-nursing as a child, and this he made an excuse for leaning upon the shoulder of some courtier as he slouched about the room. Nor was he ever without a favourite, some young fellow chosen, as Clarendon tells us, " for the comeliness of his person," to act as prop and support, and through whom the King's good graces must be sought.

The Gaveston of the hour was that memorable simpleton, Philip Herbert, at that time a youth of twenty. He had fine eyes, flowing locks, a handsome mien, and a knowledge of horses, dogs, and hawks that appealed to his master's love of the chase. He rode by the King's side as they made their progress through the country and gratified the mob by his splendid presence.

Sir Robert Cecil stood at the entrance of the court-yard to welcome the King to Theobalds. Those who had been faithful to the Scots succession in the last reign were with him to claim their reward, and it was here that they foreclosed and entered into possession of the places they had marked down for themselves. Lord Henry Howard and his nephew, Thomas, stood on each hand of Sir Robert. These two were to be Privy Councillors, and the latter that day became the King's Lord Chamberlain. They had ridden to Hertfordshire

with their retainers in great state, and the meeting of these three with the King announced to the world that Cecil and the Howards were working together and the government of the country was in their hands. Cecil was to be Earl of Salisbury, Henry Howard Earl of Northampton, and Thomas Howard, father of the beautiful Frances, Earl of Suffolk. Thomas Overbury glowed at the thought that he was standing within the magic circle of the great ones of the earth. That this meeting of the rulers of kingdoms presaged his ruin and doom, no one could foresee. Certainly the stars had not disclosed it to the victim. Ambition was to him a high and glorious passion. He could not conceive himself as a pawn in the game of life, to be sacrificed by a callous player. He looked on these men before him as coming patrons of a youth of exceptional knowledge and discretion. For the moment he was a contented onlooker at a great hour in the world's history, in which he was to play a worthy part in the future.

As the King's horse stopped at the outer side of the courtyard, before the entrance doors, Philip Herbert threw himself lightly from his handsome chestnut mare and helped the King to alight, which he did with as much grace as the business would permit. The Lords knelt, and were motioned by the King to rise. Then His Majesty, throwing his arm caressingly round young Philip's neck, and preceded by Sir Robert Cecil, who walked backwards before him, and hailed by a fanfare of trumpets, waddled slowly up the stairs of the entrance, and came for the first time into that palace of Theobalds which he was destined to covet and enjoy at the expense of subservience to its astute owner.

Whilst the greasy citizens are being regaled without the curtilage of the palace on beef, mutton, veal, bread, and beer, and drinking the health of Cecil, their host, and his royal guest, the King is ambling round the gardens in the meanders among the bays and rosemary, supported by young Philip, and talking State affairs

with the Howards and others who have come to greet him.

The "poor man wandering about forty years in a wilderness of barren soyle," as King James had aptly described himself, had made up his mind that England was a Canaan of milk and honey, given to him for his personal enjoyment. Having escaped from the northern frozen banks of Tay, he and his Scots followers were going to live a life of royal pleasure and leave the harder details of government and administration to Cecil and the Howards. To a man in the prime of life, who had been overborne and bullied from his youth up, by Scots schoolmasters, austere divines, and turbulent nobles, to throw aside the affairs of State and wallow in feasts and masques and make royal progresses and holidays of hunting and hawking, at the expense of others, was a temptation not to be rejected.

Friendly historians have sought to palliate the idle, greedy, blasphemous profligacy of James's Court by the excuse that it was a gross and sensual age, and one must not expect a higher grade of conduct from a sovereign than the mean of his period. But the facts are against them. There were, in truth, many God-fearing and decent citizens even in high places who hated the manners of James's Court and looked back with regret on the honest days of Queen Elizabeth. Whatever the age may have been, there can be no doubt the personality of the King and the manners of the Court he presided over were exceptionally gross and selfish and brought ruin and disgrace to many who came within their sway.

But for the moment no one considered anything but to give the King pleasure. And those who entertained him on his southern journey, well knowing his appetites, prepared the most glorious and ostentatious feasts for his delight. Some, indeed, say that the King declared the greatest feast he sat down to was that given by Sir Oliver Cromwell of Hinchinbrook, uncle of him who was to be Protector, but Robert Cecil's entertainment was

at least as gross, if not as great. For it was here, if I remember right, that one of the King's attendants ate, to his single share, a whole pie reckoned to have cost Sir Robert £10, being composed of ambergreece, magisterial of pearl, musk, etc., which piece of gluttony made the fellow so ill, and withal so offensive to the outer world, that he could not attend the Court for many days after.

There was this good thing to be said for King James, that though a pedant, he was fond of an apt reply, and liked converse to have a savour of wit and resource about it. It was Sully who noted this, calling him "the wisest fool in Christendom."

As they sat at Robert Cecil's table, after the more solid part of the feast was ended and the King was playing with costly sweetmeats, he was minded to try a fall with Henry Howard on the subject of religion, for it was common talk that that wise statesman was always of the old religion, and lived and died in the old faith, though he hid this successfully from all but his confessor.

Archy, the King's jester, sat on a low stool at his feet, and the King, from time to time, threw him a cake as one might jerk a nut to an ape.

Leaning forward and looking across to Lord Henry, His Majesty inquired carelessly: "My lord, have you not a desire to see Rome?"

Cecil and the others were startled. Lord Henry, gravely bowing to the King, replied boldly: "Yes, indeed, sir."

"And why?" asked the King, in his Scots sing-song.

"Because," replied Lord Henry, with enthusiasm, "and it please Your Majesty, it was once the seat of the greatest monarchy, and the seminary of the bravest men in the world among the heathen; and then again because afterwards it was the see of so many Holy Bishops in the primitive church, most of them martyrs."

"Verra guid! Verra guid!" murmured the King. "And for nothing else?"

Lord Henry knew that he must in some words assert his allegiance to the reformed faith, and in a lower and earnest voice, as if only for the King's ear and those of his friends near by, he continued: "Certainly, and it please Your Majesty, for two things especially. The one to see him who they say hath such a power to forgive other men's sins, to confess his own sins upon his knees before a chaplain, and the other to hear Antichrist say his creed."

At this the King smiled good-humouredly, and as the wit of the reply tickled his mind his smile changed to a loud laugh, which the courtiers echoed with relief at the happy ending of this dangerous talk. This seemed a cue for the fool, Archy, to take the stage, and he sprang on the stool, and, flapping his elbows like a rooster's wings, crew three times lustily. Lord Henry bit his lip, but His Majesty rose, and threatening Archy with a whipping, moved from the banqueting hall, leaning on the arm of Lord Henry, who, that evening, was made a member of the Council.

Overbury, who was himself a man of wit, greatly admired the resource and courage of Henry Howard—little imagining the part that in years to come the great Earl of Northampton was to play in his own destruction.

Chapter III: *Frances Howard*

THE real tragedy of Frances Howard is not recorded in contemporary narratives, nor has Dryasdust troubled his head about the causes of her ruin. He, good, easy man, shakes his head at the lady and tells us that she was an abandoned woman. So indeed she was, abandoned as a child to the storms of the wicked world by parents and relations and all who should have guided her steps into paths of peace and happiness. Thereafter the world treated her in the way the world treats all its children. Whilst she was the reigning beauty of the Court and wife of the King's favourite, roses were scattered at her feet, sonnets were penned in praise of her virtues, and great men fought to kiss the hem of her farthingale. When she was exposed to the world in the nakedness of sin the same herd pelted her with pasquinades, ribald rhymes, and bawdy ballads. The gadfly of the royal passages, who a few months before had pinned a portion of her marriage garter in his cap and boasted of the favour, became famous for an hour by twisting the letters of her name into a foul anagram, and was acclaimed a wit.

But if you would understand the psychology of the unhappy girl and appraise her moral responsibility for the foulness of her deeds, you must read her story and weigh the evidence for yourself before you cast your stone at the sinner. You must study her environment, the fierce intrigues of the politicians, and the foul conduct of the King himself, and then you can attempt to measure what chances a frail girl might have to save her honesty when thrown headlong into this whirlpool of iniquity by those who should have kept her safe in a haven of home.

That she was a woman who sinned seems scarce to be denied, yet the pen flinches from entering judgment. Maybe her physical beauty pleads strongly for her, swaying the juryman in you. That such rare gifts of bodily splendour and attraction for mankind should have been bestowed on this poor girl to ensure her destruction seems the crime of the gods. It is as if some terrible deity had fashioned this delicate butterfly of womanly beauty for the grim pleasure of breaking it on the wheel. Doubtless there was world's wisdom in St. Paul's glorification of the body as a holy temple, and there is, perhaps, divine authority for his judgment of destruction on defilers of the temple. But those of us who are mere common members of the proletariat of sinners may, when we have heard Frances Howard's story, be content to enter a *nolle prosequi* in the words of the Master: "Neither do I condemn thee."

So, then, to the girl's story. Without irrelevant or malicious comment, and without embellishing or lightening the dark passages of her life, let us make such portrait of her as the records permit.

Frances Howard was born in 1593, and was the daughter of that famous sailor, Thomas Howard, beloved of the great Queen, who called him "Good Thomas" when he brought back the fleet from the Azores and saved his ships from destruction. An operative, sensible sea-dog and no coward. The world laughed at him when he became Chancellor of the University of Cambridge and told the dons that he did not understand a word of their Latin greeting, but he guessed it was well meant, and invited them to a splendid feast by way of replying in a universal tongue.

If not a clever diplomatist, he was honest, and is known to have refused a Spanish pension which others in his position did not hesitate to take, though some may not have earned their wages. As a mere matter of eugenics and heredity one cannot see why the daughter of such a father should run headlong into evil ways.

Frances Howard's mother was Catherine Knyvet, widow of the son of Lord Rich. The marriage was not a happy one. Good Thomas could govern his ship, or guide the fleet, or maybe rule the State, but the governance of woman was beyond him. There seems no doubt that the Countess of Suffolk had a great ascendancy over her husband and family and, being a woman of greedy selfishness, jumped at the bait of a Spanish pension of £1,000 a year, for which she sold her husband's secrets to the enemy.

To these parents little Frances was born, a child of rare beauty and charm. Her great-uncle Henry's pet and favourite from the earliest days, she spent much of her time under his care. He was the real head of the family, and the only person who had any hold over her mother. From the first she was spoiled by her bluff, cheery father, whilst her mother looked upon a girl child as a puppet to be adorned and decorated with costly apparel and dangled triumphantly before less fortunate mothers.

When she reached twelve years of age she was already a noted beauty, petted and admired by all around her. It was then that the devil's idea entered her mother's mind that the child might be matrimonially hypothecated for money, power, and the enrichment and security of the great Howard combine.

This comedy marriage was the prologue to the girl's tragedy. The King was eager to cement the Howard faction with the Essex faction, the more so that the great Earl of Essex had stood by his martyred mother. The present Earl, Robert Devereux, was a lad of fourteen, and it seemed good to the Howards and the boy's guardians that they should make an alliance through the child-marriage of Frances and Robert. Frances was now thirteen, and the bridegroom but a year older. Neither, of course, could be allowed any word in their destiny, and the contract for the sale and delivery of the two poor young souls was bargained and settled by

their elders. The girl was claimed to have the best nature and sweetest disposition of all her father's children; the boy had neither elegance of mind nor manners, and was heavy and dull in feature and brutish in disposition. But all this was no matter so long as the king-craft of His Majesty scented safety and quiet for himself in the alliance and the Howards were satisfied that the marriage would add new dominion to their family.

The King, too, was always glad of a wedding at his Court that he might arrange the detail and ceremonial dear to his kingly heart and spend some of that English treasure which he had so recently inherited, in masques and revels that his starved soul had dreamed of in his native poverty.

The marriage-day fixed for January 5th, we may picture to ourselves His Majesty in consultation with Inigo Jones and Ben Jonson on the mechanism, manage, and poetry of the masque that must celebrate the nuptials. How these experts received the wise fool's pedantic advice we know not, but doubtless with outward humility and gratitude, letting it interfere with the beauty and fitness of their production as little as might be.

The ceremony was indeed an affair of great wonder, though maybe we moderns, who have witnessed Victorian pantomimes and other costly shows, would have smiled at many of the quaint effects that satisfied the highest of the land three hundred years ago. Each age has its own toys, the glitter and sheen of which dazzle the eyes of their own generation and make them stare in simple wonder. At least Inigo and Ben were great artists and producers, and for aught we know could give the super-confident impresario of to-day wrinkles in the game of pantomime, since that noble art is not of to-day or yesterday or to-morrow, but has been, and will be, a joy to the unlearned of all ages.

All the world was at the wedding, and old Mr. Pory, though he had a cold which made him feel very unsociable

and desirous to keep within doors, threw it aside that he might write to his friend, Sir Robert Cotton, all about it. " Inigo, Ben, and the actors, men and women, did their parts," he writes, " with great commentation. The conceit or soul of the masque was Hymen bringing in a bride and Juno, Pronuba's priest, a bridegroom, proclaiming that those two should be sacrificed to nuptial union."

Did Pory or Devereux himself, who was a miserable victim of the terrible affairs that followed, ever look back upon this strange conceit and wonder at its prophetic insight ? For the sacrifice was not only of the two beings joined in this unholy union, but of their friends and dependants, and the marriage and rejoicings and the masque were but the prologue to the tragedy that was to end in plots and murder. For from this marriage sprang a very whirlwind of sin and crime which caught up in its train many feeble, servile folk, dragged them into the net of the law and flung them hopeless on the scaffold. The blasts of it shook the good fame of great and noble men and caused a trembling of the throne itself.

But in the year of our Lord 1606, on that January evening at Whitehall, none saw those visions. The King and his guests were feasting their eyes on present marvels. The pageant was the talk of days. Who has not heard of those handsome men in crimson, and beautiful women in pure white, a galaxy unrivalled in the annals of luxury ? How can we praise too highly His Majesty's clever thought that each lady should wear a head-dress of the richest herons' feathers sent by his own hawkers from Royston ? Every jewel in the country was pressed into the service of Hymen, and ropes of pearls were hired and borrowed from the city, so that it was said that the Spanish Ambassador was chagrined to present himself among such wealth and splendour.

After the masque there was a dance, at which the ambassadors and great lords and James himself and

the Queen and her ladies all took part. The little bride, in all her freshness and beauty, danced to the admiration of all beholders, and young Prince Henry, a lad of only twelve, moved to the music with studied grace and perfection. Even at that age he must have appeared a noble youth and a strange foil in the eyes of Frances to her dullard of a husband, who did not shine at these capers but stood sulkily watching, with sullen envy, what he could not perform.

The modern Solomon was well pleased with the efforts of himself and his servants. He sat huddled up in his quilted clothes on a cushioned throne in the great hall, sipping his heavy high-country wines, Frontignac or Canary, full of sensual satisfaction at the music, colour, and movements of human youth and beauty around him. He looked back at the grim cold of his drab early life in the north and maudlin tears of happiness rolled down his cheeks, mingling with the wine that overflowed from his lips. For a night, at least, he was Solomon in all his glory.

The young prince took the floor with the bride, and the crowd parted to watch the elegance and grace of their steps. He, too, was to be one of the girl's devoted servants for a while, for she threw the golden chains of her charms over the neck of every man, high or low, that frequented the Court, be he good or bad, eager or timid, willing or unwilling to do her bidding.

The dance over, bride and bridegroom were carried off to their homes by their several guardians, and within a few days the Earl of Essex went abroad to finish his education, and his young Countess lived at home with her mother or stayed with her great-uncle Henry, brightening his new mansion with her lovely presence. At every dance or masque or tournament the young Countess of Essex was the acknowledged beauty of the day, and every poetaster in the town acclaimed her in sonnet and song the brightest star in the heaven of Whitehall.

Chapter IV: *Robert Carr*

SEVEN years have passed since Overbury met the Scots lad in Mr. Bruce's house and gained his love. Since then the boy had been in France in the train of the magnificent James Hay, the stories of whose extravagance and ostentation are scandal gossip to this day. The King loved Hay, poured treasure on him, made him Earl of Carlisle, and he continued in high favour with James and his son until he died, full of years, a glorious bankrupt owing £400,000 and without an acre to his name.

In this congenial service the rough chrysalis of the lowlands had changed into a golden water-fly, beautiful to behold. He was indeed a comely youth and studied in the graces of life. He is spoken of as tall, straight-limbed, strong-shouldered, smooth-faced, and fair-spoken, though he retained his Scots accent—a drawback readily discounted at the Court of Whitehall. A Scots writer quaintly pictures him: "Fierce and gentle like the swift greyhounds of Scotch Teviotdale which doubtless is a Parish of Fairyland."

In the early days of his reign the King, despite his effeminacy and fear of weapons, took pleasure in the mock battles of the Tiltyard, where there was occasion for great display and lavish expenditure and the tinsel glory of king-craft that His Majesty revelled in at Whitehall after the lean, dour joys of his Court in Scotland.

The Tiltyard at Whitehall lay over against the Banqueting Hall to the south of the Horse Guards, and had a gate into the park, near which was the royal staircase that led to the Royal Gallery. Here, in

Elizabeth's days, and long afterwards, did the great ones of the earth entertain their guests with bear baitings, ape baitings, and solemn dances and royal ceremonies as the taste of the moment dictated. And here fate ordained that Robert Carr should place his foot on the first rung of the ladder that led to glory and power and the love of a beautiful woman and betrayal, degradation, and shame.

The gunpowder fright had got out of the King's head, and he, with his minions, leaving the government to Salisbury and others of his Council, spent his days in royal sports of hawking and hunting and drinking and gluttony, as if, says a good citizen, " the Devil was contriving every man to blow himself up by wild riot, excess, and devastation of time and temperance." For indeed, as we shall see, the Evil One had a rare harvest of souls in the great tragedy of which this was the first scene.

King James sat surrounded by his lords, lolling his heavy body among the red cushions of his box on the south side of the staging. The trumpets blew up goodly points of war, and the procession of nobility and their retainers advanced with prancing steeds proceeding round the arena and saluting the King as they passed his station. Among the noblest in equipage and appearance was the King's own countryman, Sir James Hay. He had recently returned from the Court of France, and the citizens of London mobbed to see this hero of strange tales ride through their streets, half hoping he would repeat for them the luxurious oblations with which he had captured the hearts of the Parisians. For the story went that when as ambassador he entered the gates of Paris, his horse was shod with silver shoes but lightly tacked on, so that when he made his steed prance and curvet before the great ladies of the Court, the shoes were flung among the greedy mob, who fought and struggled for this strange largesse. Meanwhile his armourer tacked more silver shoes to his lord's horse,

that the gesture might be repeated before other noble beauties crowding the stages that were raised, that all might watch his progress to the Palace of the Louvre.

And the good King loved nothing better than ministers of good looks, clothed in fine apparel, and nodded his head with approval when Hay rode on to the tilting ground, followed by a glittering throng of noble young fellows selected for their brave looks and decked in jewels and fair raiment to please His Majesty.

Sir James halted and motioned to a stalwart, handsome young fellow of pleasing countenance, framed with sunny curls, who rode forward to present Sir James Hay's device and shield to his royal master. The King signified applause of the pageant and the assembly cheered in echo of his approval. The young fellow came prancing up to the royal dais and endeavoured to rein his horse in suddenly, when the outburst of noise frightened the animal and it became unmanageable. In spite of a brave struggle the rider was thrown violently to the ground, and when he would have risen he found he was powerless, for his leg had been broken by the fall, and he fainted away.

The King, who had a very weak spot in his heart for manly youth and beauty, was now in deep distress. His eyes rolled and filled with tears, and he sent his servants to carry the youth to Master Rider's house in Charing Cross, ordering them to run for Dr. Mayerne, his own physician, to attend him. And though he sat out the rest of the tilting, his mind was not on the sport, for he was thinking of the beautiful lad who had been thrown, as a gift from Providence, at his feet, and wondering in his crafty mind how he could make a place for him about his person.

Near by, in a gallery among the ladies, sat the Countess of Suffolk with her young daughter, Lady Frances Essex, a girl of fourteen, whose child-marriage with the Earl of Essex had been one of the great events at the Court in the previous year. She, too, was all eyes of sympathy

for the handsome young stranger whose gallant struggle she had watched with beating heart.

For Frances was a girl of eminent beauty herself and a ready lover of beauty in mankind. She was but now ripening into womanhood. Her husband was away on the Continent on his travels, and she, with her worldly cunning mother, lived in a whirl of luxury and entertainment in the foulest Court in Christendom. Those who had known her from childhood praised her kind nature and sweet disposition, and the world agreed that she exceeded all the young beauties of the Court in the delicacy and comeliness of her person. But for the seal of the law, which had already stamped the child with the status of wife, this beautiful youth with his open face and curls the colour of sun-gilt corn might have been appointed by fate and fortune for her mate in life. When she saw him she felt chained like Andromeda, and marvelled if he were her Perseus.

This day was the dawn of Carr's blossoming, and no sooner was the tilting over than the King made his way to Master Rider's to visit the youth and see that he was well cared for. Every day he came again and sat with him for an hour or more. When Philip Herbert, the King's former favourite, heard of these doings, he shrugged his shoulders, cursed, and went his way to the stables, where, truth to tell, he was more at ease than in the royal apartments.

The King was impatient for young Carr's recovery, and his anxiety was soon reflected in the behaviour of the courtiers, who now turned a cold shoulder on poor young Herbert and flocked to leave their names and promises of humble service at the sick chamber of the rising star.

By the King's command the invalid was left at peace, and none allowed to visit him but royalty, and during his illness His Majesty would pass many hours in the chamber of the fortunate youth, discoursing with him on religion, the rudiments of government, and even

condescending to teach him something of the Latin tongue. For though he was a Scots gentleman, having three mullets sable on his coat-of-arms, he had little Latin, less Greek, and even less money, so that as he lay in bed waiting for his leg to be made firm again he must have marvelled greatly at his good fortune and wondered what the future was to bring forth.

He was a shrewd young fellow, and determined, when he came into his kingdom, to make friends rather than enemies. For he knew well that what had gained him the royal favour was his comeliness, the set of his golden curls, the charm of his pleasant young face, and the freshness of his youth.

As soon as Dr. Mayerne and his colleagues would permit, Carr, dressed in brave suits and handsome garments, the designs of which were discussed between the favourite, the King, and the royal tailors and tiremen, appeared at Whitehall as a gentleman of the bedchamber.

It was the manner of the King to require his wife to make request for his minions' advancement, and on this occasion the Queen had submitted to her husband's wishes and begged a place in Court for Robert Carr. Once installed he became the King's shadow.

Every day the King might be seen, at the hours of reception, entering the hall leaning on his favourite's shoulder, and the courtiers had to bring him their petitions, and whilst they addressed His Majesty would see him pinching the lad's cheek and smoothing his ruffled garments as if a thread of his apparel was of higher import to James than anything of his subjects' business.

But all agreed that Carr behaved with far greater discretion than the coarse fellow, Philip Herbert, so that at least this was to be said for the King's whim, that it was a change for the better. Carr's conduct was highly praised at first, in that he did not seek to oust men from their places to favour his own friends, but waited until such time as death made a vacancy for them. Nor in spite of his Scots accent did he choose

his friends and servants among natives of the north, which highly pleased the English courtiers. He was civil to all and generous to the deserving, and grew daily in favour with the King and his Court.

It was in the early days of his favouritism that Thomas Overbury returned from his travels overseas, and at once ran to his friend and asked for his favour and protection. Overbury had already gained some fame as a writer and a poet, and Carr recognised the value of such a man to his own inexperience and incapacity. Moreover, he had a real affection for the friend of his boyhood. At first Overbury remained behind the scenes, working like a sculptor's ghost on his master's marble. But it could not remain long after that fashion. The two were like Damon and Pythias, and when Carr could leave the King's side he was to be found riding or walking in the park or dining at the ordinary with his comrade Overbury.

The man became necessary to Robert Carr ; he knew all his secrets, and many of the King's, he advised with his patron on State affairs, discussed and drafted official letters, read and copied dispatches, and Carr passed on his sound opinions to King James as his own. Carr would approve or disapprove of no scheme or measure until he had the advice and concurrence of Overbury. Their friendship was the jest and talk of the Court. The Queen herself nicknamed him "Carr's tutor," and some wag of the Court passed round the jest that "Overbury governed Carr and Carr governed the King." But, as yet, His Majesty heard none of these things. As long as he could go a-pleasuring with his favourite and leave State affairs to others nothing mattered, and whilst Overbury remained with Carr it must be acknowledged that the King's affairs were diligently and sensibly handled.

And now, in 1607, we find the King granting Carr a rent charge of £600 to-day, and a table of gold set with diamonds worth £300 to-morrow, and the grateful Carr

provides Overbury with a lease from the Crown of some salt works in Droitwich, and in June of 1608 the favourite's favourite receives the honour of knighthood at Greenwich Palace. As the greater place-hunters bent their backs to the King's man, Carr, so the smaller ones stooped and crouched to Carr's man, Overbury, and it is said the great Bacon himself owed his early advancement to Overbury, whose death he was so strangely to avenge.

The Countess of Suffolk, wife of the Lord Chamberlain, was gravely discomposed when she heard of Carr's accident and the results of it. This good dame had made it her duty to entertain charming young men of her own set, beautifully curled and perfumed, whom she would introduce to the Court in the hope that some one of them might catch the eye of the King. The Countess had the wisdom of the world, enough at least to wallow in its riches for a season and end in disgrace. She well understood that the favour of a King's minion was more to her purpose than the goodwill of the King himself.

Sir Robert Carr once across the horizon, a crowd of worshippers fought for the monopoly of the light of his countenance. There was no degradation of service they would not offer to secure for their party his influence over the King. Salisbury found it convenient to be very civil again to Master Overbury. His brothers received minor official posts through my lord's kindness. Northampton and Suffolk also made advances to him.

For Carr, without Overbury, would have been of little danger to the Howard faction. Kings in those days always had some favourite, usually a woman, greedy of bribes, with whims and fancies to be fulfilled, but, these appetites gratified, state-craft and power remained with the big men. Carr, with Overbury behind him, was a new portent. Even the "little beagle" snuffed danger and watched Overbury stealthily, though Salisbury was not afraid for himself, but for the State. Northampton and his nephew, Suffolk, however, were gravely anxious

about the matter, and determined to capture the favourite and make him of their party.

Overbury was the obstacle. The fellow was insolent and carried corn top-heavily. He treated his young friend Carr as though he was his personal property, cared for him and his interests as an elder brother, and showed so much wit and ability in the guardianship of the youngster that the Howards became uneasy. They saw the upstart's game. By being necessary to the favourite he would become necessary to the King. He was sowing the field of advancement diligently. At the reaping of the harvest the granary would be his, and his only. They remembered Wolsey. Such ambitions in men of his class were insolent and ridiculous. But things happened strangely in these modern years. Overbury must go.

But how was it to be done ? Henry Howard made no way with Carr, despising him too openly. He and Prince Henry both disliked the man and held the King in contempt for his tastes in humanity. They knew each other's thoughts but did not speak them. Meanwhile, James loaded Carr with honours, riches, and titles, and in due course he became Viscount Rochester. The country groaned at the stories of his extravagances, but admired the beauty of him and the splendour of his equipage when he rode abroad. It seemed to everyone in that day that he was a fixed star in the firmament. Carr had come to stay.

It was due to the cunning brain of Henry Howard, who never lived to see the last act of the hideous tragedy he planned, that Carr was captured, bound, and became the creature and slave of the Howard family. The old bachelor had the sense to see that he could not outbid the King in offering Robert Carr money, jewels, or power. Henry Howard was a lover of the angle in his youth and a patient hunter of fish. As he sat in his library in his great house on the river bank his thoughts turned on his once-favourite pursuit. Here was a golden

carp swimming in the muddy waters of the Court, to be captured if he could find the just lure for the fellow. He cudgelled his brains to fashion a bait for this noble, shy fish. He would have him yet sailing gaily in his own fishpond, responding to the call of a silver bell and feeding from his hand, as carp—however golden—may be taught to do by wise men.

Whilst he was musing on these high matters of State there came a light tap at the door and two of the players in the tragedy he was scheming entered the library. His great-niece Frances, Suffolk's daughter, the young Countess of Essex, ran into the room, bringing with her young Prince Henry, who had sailed up the river from Chatham and landed at their private bridge.

"Dominic," she cried, radiant with pleasure—it was a nickname of irony that his friends gave him, for he was no ascetic, and the girl petted him with it, "the Prince has brought his new wherry with him. He says it is the swiftest on the river, and asks us to sail with him to Chelsea."

"If you can come now, my lord," added the Prince graciously, "for the tide will only serve for another two hours or less."

"It shall be as the Prince commands," said the Earl, rising to greet him; "but I trust he will make his after-supper with us when we fall down the river."

"I had thought of taking the boat back to Chatham to-night. This is her first voyage. Pett has several fittings to alter. He is sailing with us."

"Well, then, let him take the wherry back and do you honour us by resting the night here?"

The Prince glanced quickly at Frances, whose bright eyes shot a ray of welcome which fired his young heart.

"Have you no word of entreaty, Fanny?" said the Earl, laughing. "She is a shy little mouse, your Highness."

The girl blushed confusedly and her eyes sought the

carpet. "If His Highness would deign——" she faltered.

The Prince came to her rescue gallantly. "I will come willingly, but we must be away if we are to reach Chelsea."

He took her hand and led her to the window, pointing to the wherry which lay at the bridge at the bottom of the garden.

"Look at her lines. Is not she a beauty?" he asked.

But the Earl noted that whilst Frances was looking out of the window at the vessel, the Prince's eyes were greedily scanning the more alluring lines of human beauty.

As he looked at the boy and girl the old man's face shone with a glad surprise. He had solved his riddle. The problem that had puzzled his brain for many months was no longer a problem. There was an answer to it if it was worth the sacrifice. But all great ventures require sacrifices—even the sacrifice of the human lives of others, and sometimes of those dear to us. Nevertheless, herein was the solution of the difficulties. The lure that was to capture Robert Carr was the oldest lure in the world—woman. And here was the girl to his hand, ripe and ready for the hook and the fish.

Chapter V: *Prince Henry*

IT is not possible to leave the figure of the young Prince out of our picture, but we must be careful not to give him Hamlet's part, since he passes away long before the last act of our tragedy. Yet he seems to play Romeo in the earlier scenes, and if, as some have thought, he played it to the full, and Frances was too quickly won, we must, in charity, remember that in the Court of James I there were no high, hard orchard walls for Prince Henry to climb by moonlight to catch a glimpse of his beloved.

Old Henry Howard threw the doors of his new mansion wide open to welcome the Prince, and was always ready to talk with him over plans for the navy and the building of new ships at Chatham, or of other affairs of State in which the serious youth was interested, and in a corner of the library was the trim figure of the pretty Frances waiting to sail in his barge on the river, or sit with him in the arbours of the Earl's garden. And if wrong came of it, it was of the Earl's planning and with his collusion, but I say no such thing nor go surety for the Court gossip of the hour, nor am I inclined to believe that the Earl of Northampton played Uncle Pandarus to our beautiful Cressida.

But that these two Henries, Henry the young Prince and Henry the old Earl, exercised a serious influence on the girl at this golden hour of her youth cannot be gainsaid. She was a few months older than the Prince, who now, in 1609, was only fifteen years of age, yet, as we shall see, he was already accounted, and not unreasonably accounted, a great figure in the State, so

early in years do those in high places have grave responsibilities placed upon them and the temptations of life strewn at their feet.

This Henry, Prince of Wales, is, in all truth, the fairy prince of our history, the Admirable Crichton of our kingdom. Contemporary writers and poets spoil their pictures of him by golden frames of unimaginable goodness. As a babe he neither whined nor wept, as a child he reproved ill-tempered comrades and thoughtless seniors with righteous epigrams. As a youth he is Prince Charming with the temper of a Christian saint, the mind of a Greek philosopher, and the virtue of a Roman patriot.

But searching with discretion in these obsequious pages one finds much that is human in the Prince. If he does not give us medicines to make us love him as his glorious namesake did, we do not make a wry face at him when we strip the tailor's shoddy of Court poets from their fancy figure and see the man.

Why the people loved him and longed for his reign is clear enough. He was a prince after the English heart. He loved horses and arms, he had boats built for him and sailed them, he tossed the pike, shot straight with the bow, rode the great horse, and threw the bar with the best. In lighter moments he played tennis with skill and vigour, or rode out to Blackheath to play his national game of golf, which puzzled his English friends but won the heart of the Scots.

He was a good Protestant too, and was reported, when rumours of a Spanish marriage were afoot, to have said that two religions cannot sleep in one bed. Furthermore, he was seriously interested in the affairs of the navy, and was the patron of that good shipwright the worthy Phineas Pett, and stood by his side when powerful enemies sought to ruin him, and the King himself heard the cause with poor Pett on his knees before the tribunal. At his acquittal the Prince stooped to raise him from the floor and gave him joy of the result.

Small wonder that the populace cheered him in the streets and emptied tankards in his praise in the taverns. The contrast between his open-hearted, honest virility and the crafty, effeminate, slobbering fellow on the throne was too obvious. The two pictures were daily before their eyes, one calling for hero-worship, the other asking for contempt.

As he grew in wisdom and stature the nobles and foreign ambassadors followed the populace in their adoration of the lesser sun. Men began to talk of his ascension and the new life it would bring to the world. Loyal son though he was, there were signs that he himself began to let his thoughts and dreams wander towards the responsibilities of the future. He was the friend and patron of Raleigh, and had openly said that "no king but his father would keep such a bird in such a cage." These things were reported to the King, no doubt. Then, when the Prince came to hold his Court at St. James's the King learned that it was frequented not only by a youthful and brilliant society of the new generation, but by lords and ladies of rank and position in the country who began to neglect the superior attraction of Whitehall.

And James, sitting in his loneliness—for though the King had councillors and favourites, the man himself had never a friend—would muse on the strange seeming of things that made him already a shadow, passing away to make room for another. The old pedant shrugged at his son's methods of state-craft, and remembered the precedents with a chuckle, thinking how Absalom, by fair speeches and courtesies, stole the hearts of the men of Israel, but remembering also with a sense of satisfaction the end of his history.

Robert Carr, who hated the Prince, having a natural distaste for his solid virtues, took delight in carrying from St. James's to Whitehall those sayings of the Prince which savoured of disloyal ambition. To which the poor King would listen with maudlin tears, muttering:

"Wad he bury me alive! The Lord hae us a' in His keeping."

All these things were afterwards remembered with advantages against His Majesty, on that sad day when the gods that loved the young Prince snatched him in the glory of his youth from his beloved people. It was as though in his comely presence his subjects had seen, for a moment, a promised land of peace and honest government and prosperity, and death had disinherited them when it claimed this goodly young life. For then began that despair of good citizens that ended in civil war. England became a land of crooked king-craft, greedy governors, bartered justice; the Court itself "but a golden jakes," in the homely phrase of an old writer, and the future outlook of our dear land a struggle against these things that could only be ended by revolution or ruin.

But meantime this Prince Hal of ours made many fine entertainments and banquets, and parties for tennis, dancing, boating, and swimming in the river, in which the golden youth of the age joined him with ready freedom. At all these entertainments Sir Robert Carr was present with his shadow, Overbury. The latter was very welcome at the Court of St. James's. Sir Charles Cornwallis, the Prince's Treasurer, was Overbury's friend, and the Prince himself was pleased to discourse with this wise young senior on State affairs and the building of ships. Overbury saw, with dismay, the rivalry between Carr and the Prince for the favour of the beautiful Frances, and sought to influence his master to wiser courses in dealing with the heir-apparent.

The young Prince was eager to become a member of the Council, and Overbury proposed to Carr that he should put this matter forward and influence the King to grant his son's desire. The Earl of Salisbury was adverse to this course; and herein, thought our wise youth, we may gain one point and show the Earl that

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we guide the King's will and can serve the Prince at the same time.

Carr now made a great feast for the Prince and a few of his friends, and the matter was discreetly brought forward, and Overbury was in great feather at the success of the evening. As the Prince was leaving he challenged Carr to a match at tennis at the Court at Whitehall, for the King was down at Royston, and Carr was to join him at the end of the week, and after tennis they would have further discourse about the affair of the Council.

The next day they met at the tennis court and many fair ladies were present in the gallery to see the sport, and among them the Countess of Essex, who sat watching these gallant youths with joy in her eyes at their beauty as they vied with each other in the skill and management of the game.

Carr, who though the better player was the complete courtier, was intending to lose the game by a narrow margin according to the rubric of those who play with princes. This he would have done discreetly enough had he remembered the maxim of the eye to the ball. But his eye wandered to the gallery to catch the beam from another, and thereupon he made so clumsy a stroke to lose the match that the Prince stared at him in amazement, offended that he should permit him to win in so tame a fashion.

The pretty mischief-maker who had been the cause of Carr's blunder shook her head at him in grave rebuke: "These gallants from Whitehall are better courtiers than sportsmen. His good Majesty will allow no one to stroke the deer when he rides to the chase."

"I thank God," said the Prince heartily, "that is not the rule at St. James's. I play the game, and expect my adversary to play the game too."

At this slur on his honour Carr clutched his racket and made a step towards the Prince, who, for the moment, seemed to think he was going to strike him, and raised

his racket above his arm as if to attack in defence. The foolish girl gave a shrill cry. Master Overbury hurried towards his master.

"Sir Robert! Sir Robert! The Prince intended to praise your skill. He could scarce conceive so finished a player could miss so simple a shot."

The Prince, as was his wont, when he remembered that he had fallen from his standard of duty, hastened to take the blame and punishment upon himself.

"I spoke in haste, Sir Robert, and meant nothing against your honour. It was the chagrin of winning by an accident and not by my own skill that angered me. Let us see what the King's kitchen has provided us for dinner."

Sir Robert bowed low to the Prince. His Highness gave his hand to the Countess and the affair was closed.

But though Carr honestly tried to persuade the King to place his son on the Council, the influence of the Earl of Salisbury was too much for him, and the minister so played on the King's jealousy as to rouse him to veto the petition for the time.

This was a set-back to Master Overbury, who, having planned to try a fall with the Earl, found himself badly thrown. Like many another ambitious youth, he did not attribute his failure to his own shortcomings or his own master's folly, but blamed the silly girl who claimed sway over the Prince and Carr and spoiled his schemes by setting their tender hearts ablaze with sparks from her laughing eyes. Overbury had no patience with men who allowed women to trail them at their skirts. A wise man kept his love for leisure hours, when business was over. This beautiful Howard girl was making a fool both of his master and the Prince, and the sooner her husband came back and carried her off, the better for all. Meantime he hated her with a jealous hatred, and tried his best to inject the poison of hate into the mind of his master, reasoning with him at all times on the danger of any entanglement with this fair siren.

Herein perhaps he overshot the mark of wisdom, forgetting what an old writer has told us, that " the reason that many men want their desires is because their desires want reason."

Overbury was indeed fast swimming out into waters whose depths and currents he knew naught about. It was not likely that the great ones of the earth should allow him a monopoly of the patronage and power of the King's favourite without some share of the plunder. Nor was it probable that the King himself would be governed by " Carr's tutor " when his " little beagle " pointed out to him the prick of the hare and the way puss was running. Overbury had many enemies at Court, and in the wantonness of his ambition made light of them and boasted, as a young man will do, of the certainty of his own future.

But those who were playing to checkmate him moved their pieces as old players of the game do, silently, without vaunt or comment. The Earl of Northampton, who always met him with compliment and soothed his vanity with discourse on his literary achievement and respectful questions of his opinion of foreign affairs, had weighed the fellow up and marked him for destruction if he was fool enough to become troublesome.

For the Earl, though he cultivated the Prince as a plant of the future, knew that for the present the fruits must be gathered at Whitehall, where the gardener of the day was Sir Robert Carr. It suited him for the moment that the young Countess, who as married woman had the freedom of both Courts, should keep the Prince and Carr in her toils. The danger to herself was her affair, and he thought her mother's daughter should be heartless and selfish enough to look after her own safety.

Had Overbury been a man of clear vision he would have seen in Henry Howard a clever old spider of the State, and have known himself to be a fool fly, buzzing egregiously and heading for the cobweb. But the

wise youth tolerated the old Earl of Northampton with no gladness, and spoke of him openly as a tedious and forgotten folio of old-fashioned humanity whose only station was the shelf. The conceit of the fellow was no excuse for his extermination, but in those days it was a standing invitation to destruction.

Chapter VI: *Henry Howard*

HENRY HOWARD, son of the Earl of Surrey, the unhappy poet who sang the praises of the fair Geraldine, and grandson of the Duke of Norfolk, came into his kingdom as soon as James arrived at Theobalds from the north. He was then a man of sixty-four, and one that had known poverty and obscurity and losses. But James remembered his kindness to his martyred mother, and, as all Howards seem born to greatness, this Henry, at the last, became a Privy Councillor, the Lord Warden of the Cinque Ports, Lord Privy Seal, and Earl of Northampton, and was honoured with the Garter and made High Steward of the University of Oxford and Chancellor of Cambridge.

Flattery and dissimulation were the Earl's weapons, "a dangerous intelligencing man, a subtle Papist inwardly, who lieth in wait," as Bacon's mother warned her pushing son, knowing that he would be readily drawn into snares baited with honeyed words and promises of favour. He had graduated in the school of adversity. In his youth, when his family was in disgrace, and dinners ill to compass, he had been a constant saunterer in Paul's with many another place-hunter. When his companions made their way to the ordinaries and his fellow Paul-walkers deserted the Church, he would tighten his belt and make for the booksellers' stalls in the churchyard and turn over the folios and gossip with their sellers.

He was a well-read man, and wrote many essays and treatises himself, and had a pretty taste in the arts, especially architecture, and was reckoned a witty talker. These traits, combined with his skill in outward courtesies

and nimbleness in flattery, made him a favourite with James, despite the rumours of his attachment to the old religion.

And at the time of Carr's advancement he had just completed the building of Northampton House, which many will remember as Northumberland House, ere it was pulled down to make room for the modern avenue. If walls have ears, the bricks of that old building could have told us strange tales of goings and comings, plots and counter-plots, the mysteries of which still puzzle wise Dryasdust and his competitors in their historical contests.

For James and Anna, his Queen, the good young Prince Henry, the gallant Somerset and his friend Overbury, the learned Dr. Mayerne, and many another of the persons of this drama, must have met and talked and banqueted at Northampton House.

Through the great rooms of the building flitted the pretty Frances, that merry girl but yet a child, fascinating all the great ones of the earth with her beauty and swaying them Circe-like to her will. And the dark-hearted old scholar, as he laughed carelessly at her wayward antics and noted the pleasure of the King and Queen in her pretty ways, was hugging his ambitions and wondering to himself to what uses he should put her in his schemes of further greatness. I make no doubt that the plots against Overbury were hatched in that great pleasure-house that Henry Howard built in the days of his power and glory. Early in the century he had purchased a fair site in the village of Charing which reached from the Strand to the bank of the river. When the King came to the throne he was a man of wealth. And now he called together Bernard Jansen and Gerard Christmas and Moses Glover and other cunning craftsmen to build him a sumptuous palace of brick, the front of which should be in the highway, and wings forming a quadrangle were planned to stretch down to the river, which was walled, and here he had his jetty

and private landing-bridge. It was a square, heavy, dull building with lofty towers at the four angles of the site and three stories high. When you entered there was a wide hall; two noble staircases carried you to the first pillared corridor, and the walls were covered with pictures by the old masters and many family portraits.

But the room that the old man used for himself and his intimates was a library, well stocked with learned books, situated at the end of the eastern corridor with a large window having seats within looking out across the river on to the Surrey fields.

Howard was grieved to note that as Carr rose in the King's favour he neglected his house, after he found him so deep in the ship-building schemes which the Prince upheld and the King had no use for. As we have seen, he set his mind on the capture of Carr and determined to make use of his niece to bring the favourite to his heel without thought of her happiness or safety. Not desiring to be seen in the origin of the affair, he arranged with a good friend of his, named Copinger, to make a great feast for Carr, to whom he was well known, to which Lady Suffolk and her daughter were invited; but the Earl did not go himself, and the girl being seated near to Carr, that friendship was made between them which ended so tragically.

In Court circles new alliances, or rumours of alliances, are soon known, and when the Prince heard of Carr's advancement as a servant of his beloved Frances he was very wroth, and hastened to Northampton House to hear from her own lips that truths were lies. But she, with woman's wit and mastery, refused to be put on her defence, and the Earl laughing away the thing as naught and making some slighting jests about the favourite, the Prince's mind was, for the moment, set at rest.

But whatever may have been the state of the girl's heart when first flattered by Henry's princely advances, the arrow of Cupid had now struck home and Robin was indeed all her love. She had succumbed to his

manly figure and the golden curls and the kindly nature of the fellow, and he, following the fashion of the Court, was her ready victim. All the world learned of it in whispers, except the Prince, who would never listen to gossip or scandal.

But these secrets cannot remain hid for ever, and it was on one of the visits of the Queen's Danish brother, Christian IV, that at the entertainments given in his honour the Prince made the discovery that caused him so much sorrow and disgust. The King of England resolved to show the royal Dane that he could outbid him in luxury and feasting and sport, and the world was given over to a week of pleasure.

The drunken orgies that took place at these royal feasts are scarcely credible to modern ears, but the scenes that occurred at the great feast made for the King of Denmark by His Majesty at Whitehall are matters of record. The crowning glory of the evening was to be a masque of Solomon in his Temple, with the Queen of Sheba coming to him, which the Earl of Salisbury had directed to be prepared. After the dinner, at which there had been great carousals, the lady who was cast to play the Queen of Sheba's part and carry a casket of jewels and a tray of sweetmeats and wines to their Majesties, failed at the steps of the dais and fell headlong into his Danish Majesty's lap, deluging him with cream and wine and jelly.

Apologies were profuse, and waiters, with cloths and napkins, rushed to make all things clean. His Danish Majesty graciously forgave Her Majesty of Sheba, and to show his sincerity challenged her to a dance, but after a few steps he fell down and humbled himself at her feet, and was carried to an inner chamber and laid on a bed of state, whilst the Queen of Sheba retired weeping.

The other ladies, nothing daunted, came forward to play their parts: Hope, Faith, and Charity all arrayed in cloth of gold. But wine had so filled their upper

chambers that Hope could not speak her words of hope, Faith could do no good works, and Charity fell at the King's feet to cover the multitude of sins that her sisters had committed.

Peace was now seen pushing aside Victory to approach the King, when the Prince rose and stopped the performance, and Peace was led away, beating the attendants with her olive branches.

The party now broke up in some confusion. The King, leaning heavily on Carr's shoulder, stumbled along the corridor to his bedroom. The Prince motioned to Cornwallis in disgust that he was ready to leave, and commanded him to go down and find his barge, for he intended to go to Richmond and absent himself from the Court for a while.

The Earl of Northampton was standing at the door of the great hall as the Prince advanced, and the Prince bade him good night.

"I have not seen your niece among the revellers," he said, in a tone of content.

"She is somewhere in the palace," said the Earl; "but let us hope she is not imitating the cardinal virtues."

A girl passed them, in a mask, and ran down a corridor of the palace. The Prince recognised her figure, and saw her making her way towards the King's apartments. He followed her quickly, but she must have entered the royal chamber. He was certain it was Frances. He knocked at the door of the room. There was no answer. He knocked again, and, receiving no reply, flung it open and entered. Carr was standing in the room alone.

"Does your Highness wish to see His Majesty?" he asked.

"I came to take the Countess of Essex back to her uncle, who waits for her."

"I will try and find her," said Carr, moving towards the door by which the Prince had entered, and standing there as if to invite the Prince to make his exit first.

"I think we need not go far to find the lady," said the Prince. "Where is she, Sir Robert?"

He spoke angrily and touched the hilt of his sword.

"How do I know, sir?" answered Carr, stepping back into the room. "Can I tell you where the lady is? Perhaps in the Queen's apartments, perhaps——"

But before he could hazard more false guesses the two curtains of an inner chamber parted and there stood between them, holding them carelessly aside with her graceful arms, the beautiful figure of the young Countess, and as she entered the room she drew off the mask from her eyes and dropped a modest curtsy to the young Prince. He came towards her and offered her his arm.

She drew herself up to her little height of dignity, and with a nod of malicious encouragement to poor dumbfounded Carr, moved away from the Prince's proffered arm, saying: "The Countess of Essex will await her uncle here, and need not trouble you, sir, for an escort."

"I come from the Earl of Northampton, madam."

"Then you can find him for me and carry my message."

She threw herself on a sofa in the room and arranged the pleats of her gown, looking at her own sweet face in the mirror of her fan, with smiling satisfaction at the sight of it.

"I am honoured with your commands, madam——"

"It is good of you, Prince," she interrupted, "for indeed the Court is so full of strange creatures to-night that I fled here for safety."

"Safety!" echoed the Prince, with a short laugh.

The girl rose angrily, and put her finger up to motion Carr to silence.

The Prince remembered himself. It was for him to end the scene. He dared not look at the girl for the rage of love, nor at the man for the rage of hate. But he was one who rode his passions as he handled the great

horse. He was outwardly calm and once more the Prince.

"Your ladyship does not wish me to attend you to the Earl?" he asked in a quiet voice, with eyes to the ground.

"I have made my humble request to you, Prince," she said, offering her hand to him.

"It shall be obeyed, madam."

Prince Henry stretched out his hand to hers and raised it with humility to his lips, but they did not dare to touch her flesh lest the fire should once again scorch his veins. He bowed and turned away through the door and went out of her life.

The girl threw her arms round her beloved Robin, and then, catching sight of the wedding ring on her finger, sprang away from him and threw herself on the sofa in a flood of tears.

And a few days later the world learned some of the truth of what had happened on the night of the masque. For Elphinstone or some other of the Prince's Court had picked up a glove which the Countess had dropped on her way from the tiltyard. He brought it in triumph to the Prince at St. James's and offered it as a jewel of great price to the Prince, his master.

Prince Henry took it and tossed it lightly in his hand. "You will earn no prize-money for this capture," he said, with a harsh laugh. "I have no use for that which has been stretched by another."

And the word flew round the Court that the Prince was no longer the servant of the beautiful Countess, though at that time no one guessed the real story of their parting.

Chapter VII: *Dr. Mayerne*

DOCTORS are the direct descendants of the magicians of the days of Pharaoh, and have inherited the strange gift of secrecy. No other profession in modern days can hold its secrets from the world. The statesman blabs about his failures, and clumsily tries to hide the errors of his diagnosis by advertising those of his opponent. The professional soldier babbles in his old age of the conspiracies of his contemporaries to hinder his futile operations. Even the lawyer publishes his ignorance of the law and the results of his bad advice to his clients, in handsome volumes of the reports in Courts of Appeal, bound in the skins of the fatted calves he has destroyed. Only the faithful doctor, the one real professional friend of man, who, unlike the priest, hears true human confession, is as secret as the grave in which he stores his harvest.

Here is an instance to our hand in Theodorus Turquet Sieur de Mayerne, Sir Theodore Mayerne, Doctor of Medicine in England and Baron of Aubonne in the Canton of Vaux, in Geneva, who played a strange, silent part in the tragedy of Overbury.

I have often wondered why Dryasdust and his scholarly friends, who write histories in learned volumes, pay so little heed to the career of Dr. Mayerne, who knew more of the secrets of the Stuart Courts than all the quidnuncs and scandalmongers whose memoirs are so freely quoted and discussed. But the fact is that what little Mayerne has left on record relates strictly to his professional doings and the treatment of his patients. "We cannot hinder children from growing nor people from talking," the wise old man said to a friend in Cromwell's day;

"but in these times one should leave the mouth shut and the ears long and wide."

It was by adhering to this maxim of his that this sane, selfish, fat, and merry fellow, all things to all men, sprang to the head of his profession in this country and held his own against the enmity of his fellow-practitioners and the distrust of the English people, who hated the outlandish foreign doctor and credited him with having a hand in all the plots and poisonings that rumour whispered to ready ears. But with a timid soul like James, fearful of illness, and given to repentance after bouts of gluttony, it was a post of greater power to be the keeper of the King's liver than the guardian of his conscience. And though Mayerne was often accounted to be unfortunate in his loss of his patients, yet in the great world no nobleman or man of wealth cared to leave for his last journey until Mayerne had certified that there was no hope for him on this side of the river. And this continued through three generations, since he was the King's Physician from the earliest years of King James's accession to the disastrous end of the reign of his son. Right through the devastation of the Civil War, and through into the usurpation of Cromwell, he remained in his rooms at St. Martin's-in-the-Fields, or his country house at Chelsea, wealthy, honoured, freed from taxation and assessment, raking in fees, writing prescriptions, dosing the wealthy with strange drugs, sending those he knew not how to cure to take the waters at Harrogate or Bath or Tunbridge Wells, and jobbing concessions from the Court or the Parliament, the well-earned perquisites of prudent silence and the custody of dangerous secrets.

One does not see Mayerne, therefore, starring in this tragedy of Overbury, but he was on in the scene at every moment. He was at the death-bed of old Henry Howard, who was more like to tell him of the part he had played than to trust it with the priests who were smuggled into his palace at the last hour. He was

with James to advise him on the medical side of that strange nullity suit brought against the Earl of Essex, and you may trace his influence in the learned medical phrases by which James sought to destroy the religious scruples of Archbishop Abbot. The Prince of Wales died under his hand, and though, in truth, he fought with his brother doctors to save the young man's life, the world for many years whispered that he had a hand in putting him away. This baseless suspicion the great Coke shared with the mob, so blind is the hatred of even learned Englishmen towards outlanders and foreigners.

At every crisis of the Overbury Mystery we see the buoyant figure of the cheery doctor bustling across the stage, whispering a word here, nodding to a friend at the wings, disappearing into the inner chamber of the King's apartment, remaining in conference with His Majesty, and pushing his way through the crowded antechamber with pursed lips and nods and becks and smiles but never an uttered word of the secrets of his heart.

His connection with the Overbury Mystery was so near that of a surety he knew the truth about it and how far a crime had been committed and who were the real instigators of the crime. Moreover, the King and the King's Attorney-General and the judges who investigated the crime, and the criminals themselves, were all aware that this strange, silent man knew the truth, and the whole truth, about the death of Overbury, yet not one of them dared to call him as a witness, not perhaps knowing how his proof would run, and his evidence can never now be heard in a human court of justice.

Many good Englishmen of his own time regarded Mayerne to the end as a self-seeking character, but that you may judge him for yourself, here is his career, in short. He was born in 1572, or thereabouts, so that he comes on our stage at the age of forty, let us say. His father, Lewis de Mayerne, was a Protestant historian, writing a history of Spain, which he dedicated to the States-General. Theodore de Beza, the great reformer,

was his godfather, and he, being intimate with the parents of Henri Quatre, introduces his young godson to Paris as a medical student.

He starts life, therefore, a good Protestant in favour with the French Court, but this would not make him *persona grata* to the heads of the profession in Paris. He was addicted, too, to the practice of chemistry, as much decried by the faculty of his time as the study of psychology to-day. For chemistry smacked of the occult, which sound physicians have always wisely put out of the bounds of science. But your wealthy patient likes a pinch of the supernatural in his prescriptions, and has always preferred quackery to science if put to the choice, though a happy blend of the two is his ideal. He is still primitive enough to prefer a medicine man to a doctor.

Mayerne, then, was Physician in Ordinary to Henri Quatre, but when Ravaillac plunged his dagger into the heart of the King his doctor's career, too, was murdered, unless, indeed, he would take a new lease of it from Queen Maria de Medici and the Jesuits and the Evil One on the fee of his soul.

But Mayerne was a buoyant, hopeful spirit, and no coward. The flood that would have swept a leaner man out into seas of trouble landed him on to a coast of gold and good living. He had attended, at the French Courts, English lords and ladies, and had already visited England and been well received, being presented, among other noble gifts, with a Doctor's Degree at Oxford.

It was about 1611 that he left France for England, our Ambassador having promised him a patent under the great seal of England to be the physician to King James and his spouse, Queen Anne. On such invitation did the degraded doctor of Paris change his world to London and the Court of Whitehall, where he became the acknowledged leader of his profession in the country, a post he held until he died at his home in Chelsea, at the age of eighty-two, full of years and glory and wealth.

The medical historians of our own day are out to do

homage to the memory of Mayerne, though did some foreign doctor to-day arrive from abroad with the condemnation of his fellow-countrymen in the profession as a testimonial, one cannot picture our College of Physicians opening its portals and offering him a complimentary banquet on his sudden appointment as physician to the royal household.

Nor was it otherwise with their predecessors of the seventeenth century, who no more loved a foreign quack, as they called Mayerne, being pitchforked into high places at Court than the bigwigs of to-day would be pleased with such an indiscreet display of international courtesy.

The doctors of London and the Universities in their common rooms spoke of this outlandish fellow from Paris as a charlatan. They repeated the verdict of his Parisian brethren that he was " intemperate, ignorant, impudent, and unworthy," though they were ready to meet him in consultation as a matter, no doubt, of loyalty to their sovereign.

But it suffices for me that, here in England, the fat, jolly fellow was a success. He was honoured by royalty, made money, and died rich. That he was a good man we have his own word for it, since he would laughingly tell his friends that " he had long recognised that a wicked soul never, or rarely, dwells in a fat body."

But when doctors speak of their fellow-practitioners with vituperative adjectives, which happens, alas, even in our own day, history seems to decide that this may only be a symptom of ignorance in the critics and premature knowledge on the part of the victim. It is no part of a layman's business to pronounce judgment on the attainments of a physician of three hundred years ago. We are told on authority that he introduced calomel into the pharmacopœia, so let us raise a medicine glass of gratitude to his memory and pass on to our story.

The man, as I see him, in his consulting-room, is a cheery man of the world, inspiring confidence by his

common sense and sympathy. Not that he neglected the contemporary trappings of medical mystery. He displayed his books, his pictures, and his instruments. His patients were awed by the large portrait of Hippocrates over the chimney-piece, and that grim statue in wax which stood upon his table, exhibiting the proportions, order, and composure of our poor mortal frame, of which we common patients knew nothing in those days, and little enough to-day. This ignorance enables us to take the prescriptions of our medical priests with religious fervour and let faith have its chance of working miracles. All the world flocked to this jovial man-mountain of medicine and paid him many Jacobuses for consults of short duration. And no man of family but would call him in when his end was approaching, for that was the fashion of the day. So that when he was seen riding out into Hertfordshire or Essex to the houses of the great, or taking boat down the river, the worldlings at St. Paul's, when they heard of it, would ask of each other: "How now? To whom rides the angel of death?"

The mystery of Mayerne and the mystery of Overbury are one, but the good doctor carried his secret with him to his tomb in the church of St. Martin's-in-the-Fields. For there lies the one man in England who once knew the truth of the Overbury mystery. He knew James's motives for allowing Overbury to rot and die in prison when a movement of his finger could have saved him. He was the King's confidant when he determined to degrade Carr and ruin his young and beautiful wife, Frances, after bringing them together in marriage and placing them on a pinnacle of greatness. He could tell us whether Prince Henry's death was hastened, and by whom, and what Henry Howard spoke of this and other strange mysteries with his last words. Above all, he alone could have told the world with certainty the real cause of Overbury's death, for he was the one man who really knew.

Chapter VIII: *Danish Anna*

DANISH ANNA, as the mob familiarly called the Queen Consort, was a figure of comedy in the eyes of the country of her adoption. Had she been a good woman, ruling a pure Court, she might have saved Frances Howard from ruin. Had she been a bad woman, she would have avenged herself on Overbury and his master, after the fashion of scorned queens in tragedy. As it was, she played her small part in her own mean way and was one of the enemies provoked by Overbury's insolent ambition, who joyfully turned her thumb down upon him when her word in season might have served him.

One forgives Anne of Denmark many stupidities for the frank contempt in which she held her despicable husband. A strong woman of fine presence with large, beautiful eyes, she laughed aloud at the shrinking cowardice of her pedant lord and master. Only in one thing could she be his comrade, and that was when they rode to the chase.

Father, mother, and son, King, Queen, and Prince, ran a costly triangle of regal establishments. In no one thing did they hold together, unless it were in their enthusiasm for the continued maintenance and exhaustion of supplies. Each held separate Court, surrounded by a crowd of party friends and courtiers, inspired by jealousy and hate of the rival establishments. King James, though he wrote of his wife in public documents as "his dearest bedfellow," had not, in fact, lodged with her for many years. He was intent on progresses and

hunting parties with his beloved Carr, who was naturally hated by the Prince and the Queen. Overbury, who at this time shared in the crumbs of the royal favour, was fool enough to exercise his wit on the Queen's follies, and though his sallies were well received in Whitehall, they were repeated with grave indignation at Greenwich and Somerset House, and the wise youth, had he known more of the world, would have kept his jests to himself or uttered them of some meaner subject.

His Majesty had of late been strangely troubled with the demands of the Prince to spend money on Pett's shipbuilding scheme, and was more than usually annoyed with some new vagaries of the Queen, when Carr, who had been prompted to the notion by Overbury, suggested to the King that it would be a fitting thing, and keep his family at peace among themselves, if they were to hold an investiture of the young Prince of Wales. Here was an opportunity for tumult, grandeur, processions, and gaudy dresses dear to the hearts of all three of them, and at the thought of it differences were put aside, and the warring factions of their Courts met in a spirit of comradeship to spend money, make feasts, and join in the delights of a glorious pageant. The King kissed his favourite on both cheeks in gratitude for the wit of his thought.

The investiture of the Prince of Wales was fixed for June 4th, 1610, and was to be one of the finest shows, or series of shows, yet devised by the King for his beloved people. It was the time of year when the great ones of the kingdom could travel with some ease from all parts of the country. Parliament was sitting, and the lords and ladies and great citizens and their wives made pilgrimage to town, as they would do to-day, to be present at the festivities.

Young Essex had been recalled from abroad by his friends. It was now four years since the day of his marriage, and he, having grown to man's estate of eighteen, was returning home to claim his wife and carry

her off to his country home at Chartley House in bleak Staffordshire.

Frances, now sweet seventeen, the girl beauty of the Court, whose attraction to the handsome favourite was the common gossip of London society, was to be handed over to the cold, dull custody of the husband she had never known, and carried off, like the chattel she was in law, to adorn his country mansion and bring him heirs to his estates.

And perhaps if young Essex had been a jolly, manly youth, all had gone well. The Essex alliance was a great alliance, and the child was a worldly child, and at least knew the value of rank. Even though she had flirted desperately with Robin Carr and the Prince, and perhaps some others, the grand passion of love was not fully awakened in her selfish soul.

Nor can we imagine a light-hearted, self-centred girl like Frances troubling her head about the future at a time of this kind. For each hour of the day was now fully occupied by every woman at Court in preparing robes, devising jewels, practising the steps of new dances, and rehearsing their parts in the masque which was to be the great feature of the festivities. Love affairs were snowed under by a storm of plumes and feathers, and fans, and silken vizards, and rainbow-coloured ruffs.

Ben Jonson supplied some verses, but the masque itself was, on this occasion, written by Daniell, the poet, and Inigo Jones was again the designer and producer of the show. The ladies of the Court impersonated the rivers of England, choosing the streams that flowed by their paternal estates. Danish Anna herself was Tethys, the glorious mother of the Oceanides and all the river gods and goddesses. Her daughter Elizabeth, the Princess Royal, was nymph of the Thames, and the young Countess of Essex was nymph of the Lea, the river which flowed past the Earl of Suffolk's noble palace of Audley End.

The Queen's dress of silver gossamer and brocaded gold seaweed, a train of sky-blue silk, the whole sur-

mounted by a murex head-dress, was indeed a thing of marvellous beauty. But Danish Anna, with turbulent obstinacy, refused the humble entreaties of Inigo and his satellites that she would graciously wear the dress as it had been designed. The self-willed woman must needs make herself, and the show, ridiculous by adding a huge farthingale to the contraption and a high, many-coloured ruff, without which—even when in hunting costume—she refused to appear in public.

But Frances, we may be sure, placed her graceful body at the disposal of the artists and tirewomen and let them drape her graceful limbs to their most enticing display, and learned her dancing steps and postures with careful accuracy that she might gain the gaze and amazement of all mankind by her glorious beauty. For she was full of mischievous, wicked pleasure at the thought that by the modest, witching glances of her eyes, she would drive despair into the heart of her attendant Triton, Robin, that this joy for ever could never be his to have and to hold, she being already scheduled to another.

The show began on May 31st, the Prince arriving from his palace of Richmond by barge, escorted by the Lord Mayor and city authorities in their barges, with thousands of boats in the wake of the procession. The King and Queen and lords and ladies met the Prince at Queensbridge Pier, Westminster, and accompanied him to Whitehall. A day or two afterwards he was presented to both Houses of Parliament by the King, and on June 4th was the banquet and the masque which lasted until the early hours of the morning.

The Earl and Countess of Suffolk were staying with Uncle Henry at Northampton House. The old man and his nephew had made their excuses and retired when the masque ended and the dancing began, but the Earl had sent his barge back to wait the commands of the Countess and her daughter, who were to be attended home by Sir Robert Carr, when the dancing was over.

It was about four in the morning when the last music

was played and the June sun was rising over the river. A crowd of weary watermen were waiting at Whitehall stairs, and a joyous band of tired, but still lively, guests were thronging the passages leading to the pier.

Sir Thomas Overbury had attended the Countess of Suffolk to the barge, and Carr followed at a little distance with the fair Frances.

"This is the better way," she said, passing through a doorway. "We can go across the Queen's garden."

Carr was ready to follow the girl whither she led him. The Queen's garden was formed of a series of tall box-hedges with lawns between. They strolled leisurely along the paths, talking pleasantly of the delights of the masque, and laughing at the merry incidents of the evening, in the twilight of the dawn.

On a sudden Carr, in a spirit of mischief, seized the girl's head in his hands and unloosed a silver-green riband that braided the river nymph's hair and snatched it from her head. The girl gave a little scream of displeasure, or delight, and struggled to regain it.

Carr held it above her head, and she jumped up at it in feigned anger, calling him many saucy names.

"I shall keep it for ever and wear it as a love knot in my hatband," he cried, waving it skilfully out of her reach.

"You shall return it to me at once," she answered, stamping the ground and vainly striving to seize it.

"They will know it is a love favour," he continued, teasing the girl.

"You dare not boast such a thing."

"It will do its own boasting, but Sir Thomas Overbury shall pen me a sonnet about it."

"There shall be no sonnets written and no man touches my wife's ribands but myself," said a dull, angry voice. A strong, heavy-looking young fellow strode out of the darkness across the grass and seized the silver-green riband.

Carr stepped back suddenly. The Earl of Essex

came up to Frances and, seizing her arm, placed it in his own. She was shaking with fright and fear for herself, and perhaps for her lover.

"The Lady Suffolk waits her daughter in the barge. Come, Frances. To-morrow, sir, we will arrange to settle this difference. The Countess of Essex does not need your escort."

"The Countess needs no man's escort," said the girl, coming to her courage again and withdrawing her arm from her husband. "She can take care of her own ribands. What folly to make a play actor's scene of a bit of merry nonsense. Come, both of you. Shake hands over it and let me be away home. It is time enough, surely."

Carr, who obeyed her in all things, held out his hand frankly enough, and Essex, gazing at her flashing, determined eyes, took it slowly and dropped it again as an unwilling child obeys the letter of his governor's command.

"And now," said Frances, demurely curtsying to her young husband, "I pray you take me to my mother, or, as Master Daniell says in his poem, 'Tis ours to lead the beauteous nymph of crystal streaming Lea down to her Mother Thames.'"

She broke into a silvery laugh, and Carr remembered, with pleasure, it was his lines she spoke. The two men bowed gravely and the Earl gave his arm to his wife.

It was thus husband and wife met in the Queen's garden, four years after their marriage.

Chapter IX: *Mrs. Turner*

THE return of Essex to claim his bride came at an unfortunate moment, but it had to be faced. For here was Robert Devereux with his fat cheeks and heavy jaws blinking his dull eyes at the beautiful girl that belonged to him and demanding possession of his chattel.

It was about this time that the King promoted Sir Robert to the peerage under the title of Lord Carr of Brancepeth and Viscount Rochester, and he, with his secretary Overbury, had ridden north with the King, who was away on a progress of feasting and hunting. Overbury was pleased to carry his master away from temptation. He feared too close an alliance with the Howards as dangerous to his own ambitions.

Essex made formal application for the custody of his wife to her father, the Earl of Suffolk. The admiral conceded his son-in-law's right, but, with a shrewd instinct that there might be difficulties ahead, craved leave to consult the girl's mother about the date of fulfilment. Meanwhile, he intimated that the Earl of Essex would always be a welcome guest at his house.

But though Essex visited the house and paid court to his bride and described the splendour of his house at Chartley, he could not persuade the young lady to name a day when she would accompany him thither.

At length he became impatient, and told the Suffolks that their daughter must be ready to travel by the last day of September. Frances resented her husband's brusque ways. Other young men sued her with honeyed phrase; he threw orders to her as to a dog. She rebelled. She told her mother in round words that the husband

they had chosen for her was a boor, and that she would not live with the man. When her father heard of this he launched a battery of sea oaths at his daughter's head and quoted commandments of obedience, at which she pouted impatience. Her mother pleaded with her, and pictured the glories of her position, the honour of the alliance, and the disgrace into which they would all fall with the King if she made trouble, since he himself had arranged and sanctioned the match. These things touched her heart more nearly.

Had the sulky lover had any spark of romance or passion in him he might have won the girl's heart, or at least enough of it to have made marriage possible to her. But he was a mere huckster in the business. He discussed his rights with the parents of the girl instead of wooing his bride. She was his, and he was of an age to set up housekeeping. He did not propose to waste his time dangling at her skirts in London, but announced that he would ride down to Chartley and make his house ready for her reception, and then in September he would return to fetch her and carry her home. That was his ultimatum.

Frances fled to Northampton House, and threw herself at old Dominic's feet, begging him to save her. The old man was dismayed to find that her passion for Carr was a real blaze of fire not to be extinguished with mere words of entreaty or command. But he was far too wise a man to hurry matters with the girl. He spoke to her as a rational being, pointing out, as her mother had done, the great position she would hold in the world as the Countess of Essex, the wealth that would be at her disposal, and rallied her on being able to manage her husband and live her own life in her own way. The burden of his talk was the freedom of marriage and the power of a woman of wit to govern husband and household, to minister to her own pleasures. But the girl listened without enthusiasm. In her mind's eye she saw two pictures—a golden youth, fresh, buoyant, and

loving, kneeling at her feet and adoring her as a goddess one to whom she could yield herself at last with honest joy, and in dark contrast to this vision was a dull, uncouth country clod who would carry her to a prison house and compel submission. Her father might rail at her, her mother might cajole her with soothing words, and old Dominic might quote wise saws and plead for sane views of life as it is, but they could not cheat her of her dreams. The girl was in love.

Then suddenly a ray of hope came to all of them. Essex fell ill of a fever and lay in a dangerous condition for many weeks. The girl was distraught with fear of his recovery. There were moments when she could have prayed for his death had she dared the blasphemy. Her uncle watched her anxiety and knew and perhaps shared her hopes. She would sit for hours in the window seat of his library and gaze at the river, many a time wishing herself at the bottom of it and the grey tide flowing over her—her miseries forgotten. She dared not ask for news of her husband's health lest it should be good news. Life without her beloved was tasteless to her, yet she had not the courage to cease living. There was a selfish feeling in her heart that fate could not mean to give her body and soul to any one but the man of her choice. Why could she not peer into the future and know if any happiness remained to her in the years to come ?

And it chanced on the same day her little mind was full of these reckless thoughts that Mrs. Turner came to Northampton House, having, indeed, been sent for by the Earl, who began to think that a woman's wiles might be more successful in medicining the love-sick girl than the wisdom of a man.

Mistress Anne Turner was well known to all the ladies of the Court as one who could cunningly design robes and new-fangled farthingales and strange ruffs. No masque was complete, as Inigo Jones himself allowed, unless her brains and fingers handled the dresses. There

was a wondrous yellow starch she brewed of which she only knew the secret, and to-day it was all the fashion. But she would not sell her secrets for money so often as she would exchange them for other secrets of the wives and daughters of the great who visited her little house in Paternoster Row.

This it was that made her of value to Howard, who learned from her many things that were useful to him in his daily management of men and affairs. The world, who heard of her visits to Northampton House, shrugged their shoulders and smiled. That the old bachelor should entertain the pretty lady, and that she should be a willing visitor to the great house, seemed very fitting and amusing to the gossips in St. Paul's. But the Earl cared nothing for scandal as long as he had a clever spy in his pay whom the world took for a mere woman of pleasure.

He was pleased to see her, and found she already knew enough of the girl's troubles to start on her task without delay.

"I hear the Earl of Essex is recovering," he said to pretty Mrs. Turner as they walked upstairs to the library.

"That will be no good news for his Countess," said the woman resignedly.

"You need not break it to her. But you must win her over to reason. The Earl must take her to Chartley at the end of the month. We have made the contract and must keep our bargain. Once he has her away there in his keeping the rest is his business."

Mrs. Turner laughed a merry laugh.

"We poor women are driven to the market or the slaughter like cattle."

"And queer cattle some of you be," said the old man, patting her pleasantly on her shapely arm. "But here is your patient, and if you can doctor her into a better frame of mind I shall be grateful."

The pretty lady smiled winningly, looking up to his face, and nodded assurance.

" She is not the only love-sick girl in the world. We must show her visions of a happy future."

The Earl opened the door and led her into the room.

" Come, little mouse," he cried pleasantly. " Here is a merry visitor for you. Good Mistress Turner has come to see you."

Frances leaped up with a look of pleasure. She had been at the woman's house with her mother on dress-making business. She had met her, too, at a jolly party of young people given by Sir Thomas Monson—a man who knew how to gain the hearts of the golden lads and girls of the court. She remembered that Mrs. Turner had brought the music and taught them new dances, and Robin had been there, and the dancing was wild and free and there was a merry supper to crown a romping, joyous night of high-spirited pleasure.

She knew, too, something of this clever little woman's story. How she had had experience of the romance of true love and abandoned her life to her lover. She glided across the room to her friend with open arms.

" You must help me," she cried in a faltering voice. " Everything is against me. You must help me."

The pretty lady gathered her in her arms, and the poor girl wept on her shoulder. The Earl looked at the picture with satisfaction, and quietly withdrew, closing the door behind him.

Mistress Turner led the girl back to the window and bade her tell her story, which she listened to with intelligent sympathy and soothing exclamations. For she was an expert at these sorrows, and had brought about the pleasure and destruction of many an unhappy girl, and made peace or war between husbands and wives and lovers according to the orders she received and the money that commanded her services. For she was a past mistress in all traffic of this nature, and the world acknowledged her to be a wise woman in the politics of Cupid.

Mistress Anne Turner was the widow of George Turner, M.D., of St. John's College, Cambridge, a

protégé of Queen Elizabeth and a friend and patron of Dr. Forman. She was now living under the protection of Sir Arthur Maynwaring, who was the father of her children. He was a man of good family, with land at Over Peover in Cheshire, where the Maynwarings, like the Overburys, were of the older gentry of the country. Sir Arthur had no means to make a great figure at Court, and he was content to let the woman provide for himself and their children. Her skill in affairs made her necessary to the grand ladies at Whitehall, and his social position gained her new introductions to aristocratic clients.

It is to be feared that the pretty lady was little better than a common go-between and gossip, ministering to the vices and passions of the world of fashion. But like many of her kind, she made sufficient money in her trade to support her own and her lover's prodigality. For as one who knew her well says: "Her pride would make her fly any pitch rather than fall into the jaws of want."

And here was a pretty pigeon to pluck, whose feathers would moult golden pieces into her lap if she handled her with care. Nor was the task a difficult one to a woman of Mrs. Turner's cleverness and lack of conscience. She surveyed the position calmly. Her first duty was to Henry Howard, the old man with the purse, a grim tyrant, who would have her neck broken if he thought he was betrayed. Her good sense told her that he must stand first and have the value of his wages, and his orders were that the girl was to come to her senses and go and live with her husband and play the housewife to him.

This she would bring about in her own way. But the girl, too, would be a paying client. She had money, and, at Chartley, would have more, and if her love of Rochester continued would spend it freely to feed her passion. Then the clever little widow would have the girl body and soul in her clutches, and she, poor wretch, would be able to deny her nothing. And there would be interviews to arrange and letters to carry to the

King's favourite, and he could dip his arms beyond his elbows into the King's gold and pay any price he was asked for the pleasure he sought. He, too, would be a friend and customer to good Mistress Anne Turner.

These were the thoughts that spun round in the brain of the clever woman as she crooned over the poor girl who was clinging to her and sobbing out her sorrows of the hatefulness of the boor to whom she was wed, and the glory and beloved beauty of Robin, who was lost to her for ever, and the cruelty of her father and mother and her own longing for early death.

But at the thought of this last calamity good Mrs. Turner shuddered honestly, as the death of foolish maidens would be the end of all her trade and business, until after she had taught them to dance to her tune and sold them for what price she could get and they were maidens no longer, but mere ruined foolishness, and then their lives and deaths were nothing to her.

She stroked the child's hair and soothed her with fair words.

"We must take advice in this," she said gravely.

"Advice! Who can advise? Who can see a way out of the wreck? There is none."

"You talk hastily, child. There are men who can see into the future; who can tell us whether your husband will live or die, whether it is written in the stars that you are to ride with him into Staffordshire, or ride another way with the man you love."

"I do not believe in conjurers and magic," said the girl, with dull petulance.

"You may say as you will, child," replied Mrs. Turner, in a serious tone. "There be rash people who believe neither in God nor Devil. I was brought up in the old faith. The Scriptures teach us that we can have messages of the spirits through dreams. Do you never dream of lying in the arms of Robin?"

The girl blushed and laughed half to herself.

"But tell me, good Mistress Anne, do you know of

any conjurer who can truly foretell the future? I cannot think it is so."

"You must promise secrecy."

The girl nodded. Mrs. Turner gravely walked to the door and peeped into the passage and closed it softly.

"Do you dare to hear the truth from a great Master of Magic and are you ready to obey the orders of the stars?"

"I will go through fire and water to keep myself from that man. I hate him!" she cried passionately. "I hate him!"

"There are spells and philtres that can alter love."

"Not strong enough to turn mine."

"But given to your husband might turn his thoughts elsewhere or make him cold to you."

"Are there such things?" whispered the child, awed by the elder woman's looks of mystery and hints of forbidden knowledge.

"Yes, child, for those that will seek the Master and obey his word."

"The Master! Who is this Master you speak of? Do you know him?"

"He is a friend to me as well as my guide and guardian in all secret things. He has already read your stars and knows your story and your fate."

The girl was fired by her strange talk and blazed into ardent faith.

"You can take me to him, Anne!" she cried imploringly. "I will kneel to him. Beg him to read my fate and tell it to me and give me charms and philtres that Essex may hate me and leave me to myself. Who is this Master?"

"You will swear not to betray me to your uncle?"

"I promise—but the Master?"

"It is Simon Forman, the magician," whispered Mrs. Turner.

"I have heard of him," said the girl, slowly repeating the name. "Simon Forman! The Prince called him

the Devil's servant, and said he ought to be burned as a wizard."

"He is a gracious wizard to those who trust him."

"Has he done you kindness, Anne?"

"Dare I tell you of his power?"

The girl seized her hand and looked imploringly at her. Mistress Turner patted her cheeks and drew her towards her.

"Well, well, I will tell you, then. There was a time a year ago when Sir Arthur's friends would have taken him from me, and he came to say that he must ride into Cheshire, and I could read his heart, and knew he meant to leave me for ever, and indeed he so confessed later. That afternoon I crossed the river and went to the sweet doctor and prayed him to give me back my lover who was to ride north that very night. He left me for an hour to cast his spells, and then returned to tell me my lover should be with me before dawn. I sat at home waiting and waiting. Outside was a fierce storm of wind and rain and I lost faith. Forman had deceived me; Sir Arthur would not return. Yet I sat in the dark waiting and waiting, hoping against hope. Midnight chimed, and at the last stroke there was a loud knock at the door. I flew downstairs. There was Sir Arthur, mud from head to foot. He had started on his journey, and had gone to rest at the Bull Inn at St. Albans, when suddenly he heard me calling aloud for him. He could not rest. He had no command of his thoughts or limbs. He was seized by some strange power, thrown on his horse, which he found saddled in its stall, and he had galloped through the storm back to my arms. That is what Simon Forman did for me, my dear. Can you wonder I am his servant?"

The girl was open-mouthed with wonder and fear.

"Can any man do such miracles?" she murmured. "I dare not go near him. Do you fear him?"

"Has your love no courage, child?" asked the older woman coldly. "If you are afraid——"

The girl sprang up at the taunt.

"Afraid! No! I will meet the man. How can he harm me? It seems this is the Devil's own world, so it is meet to ask his servant for aid in trouble."

"Then listen, child. To-morrow about four in the afternoon I will call for you with a pair of oars. You must bring with you a heavy cloak and apparel for the night, as you must rest at my house."

"But the Earl——"

"I will make it good with him. I shall tell him you are to visit me for a night that I may cheer you up and make you merry and ready to do his bidding. So be sprightly with him now, and leave moping until we hear the Master's message."

"Can there be any hope for me, Anne?"

"If you have faith and obey the Master."

"I will, I will," cried the unhappy girl.

Pretty Mrs. Turner, with the smile of a Madonna, bent down and kissed the lovely girl on her lips as if to plant the seal of Judas on the Devil's pact she had made for the barter of her soul.

Chapter X: *Simon Forman*

SIMON FORMAN was a born rogue. I am inclined to think that rogues are a human species carrying the poison of roguery in them, as some unfortunate humans are said to carry the germs of typhoid. Nature has been so far kind to rogues that she seems to provide them with a comfortable armour of self-deception so that your true rogue never sees himself in the mirror of the mind in all his naughty nakedness. Was there ever a rogue, or a quack, or a medium, or an astrologer, or a faith-healer, that did not build his fortune on a foundation of self-love and conceit, and buoy up his spirit to great adventure by a willing acceptance of the supernatural powers he claims to exercise ?

Nature, too, ground-baits the swims of life with fodder for rogues. It is an axiom of human nature that man—and especially woman—has a more lively faith in magic than in science. A rogue may command a hundred clients for one that will come for advice to an honest man confessing human limitations.

Our learned and enlightened historians and publicists write with lofty pity of the folly of our forefathers with their childish beliefs in demonology, witchcraft, and black magic. But for my part, if I hankered after these idolatries, I would rather be a disciple of one of the picturesque scoundrels who read the stars and told fortunes in the melodramatic setting of the seventeenth century, than sit in a darkened modern drawing-room to watch the trances and listen to the futile whisperings of the necromancers of our own time.

Quackery and roguery are as old as Endor and, as the

philosopher tells us, are bound to continue as long a the rogue finds ready to hand " deceptibility, greediness ignorance, and prurient brute-mindedness fermenting in his behoof." These are the vitamines on which roguery thrives. I can find no age or country, hitherto, that has been free from this plague. Who are we, living in the cheap glass-houses of modern magic, that we should cast stones at the stately conservatories of sorcery patronised by our forbears ?

And for Simon Forman I will say at least this, that he worked hard at his trade and was acknowledged to be a master of his craft. He was bullied by the authorities and patronised by the aristocracy and feared and worshipped by the common herd. He came from Wessex, and was born at Quidhampton in Wiltshire in 1552 on New Year's Eve. He used to boast in after years that he was of high descent and claimed relationship with the Sandes, the Chitches, the Lovelesses, the Finches, and other goodly families.

He tells us in his diary that he suffered as a child from bad dreams, in which he foresaw the troubles of his riper years. Daniel Dunglas Home, the greatest medium of modern times, had similar childish experiences of dreams and visions. Forman as a baby of six would fascinate his parents with discourse of his dreams wherein mighty mountains and hills were rolling against him, and as they were about to overrun him and fall upon him he always managed to overtop them. Some day a scientist will read a paper for us on " The Influence of Flatulence on the Supernatural."

Forman's father died when he was a lad of ten, and from that time the child had a hard struggle before him, and found the world a harsh stepfather. His mother neglected him and made a domestic drudge of the boy, until he made up his mind to run away. Then we find him apprenticed to a grocer, who was also an apothecary in a small way. Here he learned to mix medicines and gained some small knowledge of drugs.

He had had an irregular kind of education, and at the age of twenty-one he became a poor scholar at Magdalen, Oxford, earning his daily bread as valet to young students of wealth, and acting as go-between in their youthful amours. Afterwards he was an usher in a school, a carpenter, and a wanderer over the face of the country. But that he soon began to practise magic is clear, for at the age of seven-and-twenty he tells us: "I did prophesy the truth of many things which afterwards came to pass and the very spirits were subject to me." It is no wonder, then, that about this time he was lodged in jail for over a year for professing necromancy. But this did not deter him from his appointed career, and we find him posing either as a doctor or a magician or a mixture of both from that time onward.

At the age of thirty he was definitely settled in London in practice as a doctor and an astrologer, and soon rose to sufficient eminence to be threatened by the College of Physicians and the Star Chamber. His practice was largely among women, and it is not uncharitable to suppose that much of it was of an undesirable character. The man himself was an immoral creature, and, though twice married, had many liaisons with his patients and others. He had a strange fascination for women, and "dear father Forman" was much beloved by the women dupes who flocked to his consulting-rooms. In this trait also he was, as biographies of similar rogues reveal, formally true to type.

One good and brave action of the man ought to be recorded to his credit. In 1592 when the plague swept large districts of London he continued to attend patients and visit those stricken with plague at a time when many of the regular practitioners had fled for safety into the country. Indeed, to poor patients he was always easily accessible, and if he robbed and preyed on rich fools, he was bounteous to poor ones, though maybe this was mere "bird lime for external game and a salve for assuaging his own spiritual sores."

These virtues, however, gave him a certain popularity and good name, and the attacks of the physicians, who had fled from the wrath of the plague, against a man who had stood his ground were not well received by the authorities. It was these attacks that led him to take a house in Lambeth within the jurisdiction of the Archbishop where the College of Physicians could not so easily pursue him. He had now many personal friends, and when James came to the throne and Robert Cecil, Earl of Salisbury, was Chancellor of the University of Cambridge, he was given a licence by that University to practise medicine and took his M.D. at Jesus College.

It was to this learned doctor, now a man of about sixty, that many of the noblest in the land went for relief when the great Dr. Mayerne and the regular physicians had no further hope for them. And it was to this notable magician that lovers and plotters and women in misery and despair brought their troubles in real hope and faith of supernatural relief.

Mrs. Turner seems to have had no difficulty with the Earl in being allowed to carry off her new client. He himself had ridden toward Audley End to see his nephew. News had come that Essex was rapidly recovering, and the scandal could not for long be kept from the ears of the King unless the girl came to her senses and went home with her husband as a sensible woman should.

Mrs. Turner arrived at Northampton House in the afternoon as she had promised, and carried Frances to her home in Paternoster Row, where she told her that she had made an appointment with the Master for that night, and she must rest until it was time to start. The girl seemed to take fright at the night journey, but Mrs. Turner gave her such wise encouragement that she was soon reassured, and, drinking a soothing draught that her friend prepared for her, fell into a sounder sleep than she had enjoyed for many a night.

About nine o'clock Mrs. Turner awakened her, and the two threaded their way across St. Paul's Churchyard

and the narrow streets beyond, down to the Common Stairs, where Mrs. Turner's watermen were in waiting. The moon was high in the heavens, the tide ran fair, and the boat made a good journey to Lambeth, where they landed on the shore above the palace. Leaving the boat, Mrs. Turner gave some commands to the men, and leading the way the two passed, across some fields by a footpath, over several stiles until they reached an old large brick house standing in a clump of trees surrounded by a garden wall. Passing through the gate, Mrs. Turner, who seemed at home in her surroundings, went straight for the door, on which she knocked softly. A woman opened it a few inches and peered out at them. Seeing who it was, she allowed them to enter.

"Is the doctor ready to see us?" inquired Mrs. Turner.

Mrs. Forman, for she it was, ushered them into a plainly furnished room near the door. "I will make inquiry," she replied, and left the room. When they were alone Frances would have asked her companion something of the ritual before her, but she was still drowsy with the draught she had taken, though the fresh air had to some extent revived her. Mrs. Turner sat with closed eyes, as if in meditation. A small lamp stood flickering on the mantelshelf, a tall clock ticked drearily in the corner, and the two women sat silently waiting the Master's bidding.

It seemed to Frances a considerable time before they were summoned, but at length Mrs. Forman entered the room, and, beckoning them to follow her, took them with her along a passage which led to the back of the house to a closed doorway covered with a curtain.

"I go no further," she said, and left them standing in the dim passage before the door.

Frances could feel her heart thumping against her stiff bodice. The atmosphere of silence and mystery which is a necessary parcel of the quack's equipment was

doing its work and preparing the girl towards the excitement and agitation essential to faith in magic.

Mrs. Turner tapped gently three times. The door opened inwards of itself, and the women entered the room.

The air of the room was heavily scented with sweet burning herbs. Two candles with blue flame stood on a side table, and Frances could dimly see the outlines of daggers, muskets, halberds, corselets, and suits of mail hanging on the walls, and discern the folds of heavy red curtains in the spaces between them, and distinguish the figures of a stuffed crocodile and a large turtle hanging from the ceiling, and skins and strange designs decorating the curtains.

In the centre of the room were two finely carved dark oak chairs, and in front of them a copper perfuming pan from which a thin stream of incense mounted to the roof. Round the chairs on the floor were circles and triangles and hieroglyphics drawn with chalk.

The door now slowly closed of itself. Frances watched it fearfully.

A grave voice came from behind the curtains. "Be seated and await the Master. Let us all in solemn silence invoke the aid of the Spirit!"

Mrs. Turner went towards the chairs, leading the bewildered girl with her. She sat down and covered her face with her hands as though in silent prayer. With the imitativeness of youth Frances followed her example.

Within a few moments strains of music as from a simple reed pipe seemed to enter the room first from one side and then another. A curtain at the far corner was drawn apart and the Master entered.

He was a man of middle height and venerable aspect, with a long white beard nearly down to his waist. His face was worn and thin, and his large, hungry, sensual eyes, shadowed by a high forehead and overtopped with shaggy brows, gave him a forbidding appearance. He

wore a handsome black velvet gown embroidered with cabalistic signs and fastened with a jewelled girdle. In his hand was a forked wand, and upon his head a tall, peaked hat, also of velvet, and covered with signs and jewels. He stood just within the curtain and waved to Mrs. Turner to approach him. She ran towards him and knelt on one knee. He put his hand forward that she might kiss his ring.

"Is this a friend who comes to seek advice?"

"Yes, Master," said Mrs. Turner, in a voice of deep humility.

"Do you wish to consult the Master?" he asked, looking across at Frances, who was gazing at him in some terror.

"Yes, if I may do so," she whispered.

"Leave us!" cried the magician, waving Mrs. Turner away, and she rose hurriedly and passed behind the curtain out of sight.

When she was gone he made two steps towards Frances, and in a solemn voice bade her rise and listen to his words. She stood before him with folded hands, as a beautiful, meek child might stand before a priest.

"Child, you come here to ask my aid, but I cannot grant you help unless you come to me in simple faith as daughter to father asking a father's loving care—and the price of my help is obedience, which if not rendered will spoil all. I know the story of your past and the stars have told me your future. You are Frances Howard, married wife of Robert Devereux, Earl of Essex. You are deeply in love with Robert Carr, Viscount Rochester, the King's favourite."

Frances gave a little gasp, but listened eagerly. The magician continued in a solemn, low-toned voice:

"Your husband is very ill. You would know his future and your own. You wish to learn whether he will recover, and if he does, whether he will take you to his home at Chartley, where you must submit to him as

wife to husband. But in your heart you are seeking the love of another. You would have me tell you whether this love will prosper. Are not these the secrets of the future you come to hear ? "

Frances bowed her head. She could not bring herself to speak.

" Good ! It may be done. At midnight we will consult the crystals. But that this may be successful you must become an initiate and a recipiendary of the faith and swear to me, your Master, obedience and honour and secrecy in all things. Are you prepared for this ? "

The girl was overcome by the strange atmosphere around her, and, wild in her excitement to know the future in store for her, she sank at the old man's feet, murmuring, " I am ready to do what you will."

He raised her to her knees with no outward eagerness, but his eyes shone with pleasure. Placing his hand within hers, he bade her repeat these words after him : " I, Frances, accept Simon Magus as my spiritual father on earth and will be his humble and obedient spiritual child on earth until death shall part us."

The ecstatic girl repeated the words, even with fervour, so strangely was she overcome by her surroundings and the hope of a way out of her troubles.

" Kiss the ring," he commanded as she finished the oath.

She kissed it humbly and submissively. The Master strode across the room and struck a gong loudly. The noise echoed through the house. Mrs. Turner came from behind the curtains. She was dressed in a long white robe, her arms and feet were bare, and a black ribbon with a jewel circled her hair.

" Daughter," commanded the magician, " this child would become an initiate and one of the Master's daughters. There is but a short hour to midnight. Prepare her for the ceremony and wait the command."

Mrs. Turner raised Frances and kissed her with

enthusiasm. "Sister, you have done well," she whispered.

The poor girl in her bewilderment was full of faith and happiness, and shed tears of joy, though, had she known to what end this mountebank folly would lead, they had been bitter tears of terror and sorrow.

Part II: *The Prologue*

Chapter XI: *Chartley*

IT would be easy from the records of the Devil's liturgies to produce an accurate picture of the further mummeries that went to the confirmation of Frances Howard as the faithful disciple of Father Forman. Incredible as her future story may sound to modern ears, those whose business it is to study the criminal practices of quacks and blackmailers know that there is no extravagance of faith too abject to satisfy a simple soul in distress, and they will understand the grip in which these scoundrels held the girl, and judge her resulting conduct in the light of that knowledge.

From the night of her initiation Frances Howard became the slave and tool of Forman and Mrs. Turner. Her subjection and slavish obedience to the magician are, indeed, pitiable, but not without precedent in the records of roguery and crime. For the present there was a further delay of the journey into Staffordshire. The girl was permitted stolen interviews with her lover at Mrs. Turner's house in Paternoster Row. She received letters from him, beautiful letters, invented by the rascal, Overbury, and sonnets from his poet's brain, carefully penned and copied by Rochester, who was wholly incapable of their authorship. How far her Uncle Howard was a party to this villainy no one can say, but it brought about the result he sought. By the early summer the girl had so committed herself by her conduct and in her writings to her " sweet father " and Rochester that Simon Forman could at any moment betray her shame to the world and destroy her future. It was then that he issued his orders to her that she should accompany her husband to Chartley. We may imagine her expostulations and appeals. But her task-master was firm.

The crafty magician persuaded Frances that though she was to go with her husband she was not to be his for ever. She travelled with magic powders and potions which she could put in his sauces and bewitch him and destroy in his nature all thoughts of love to herself. In his den of iniquity Simon Forman showed the wretched girl wax images of herself and Rochester which were to be joined together and blessed by subtle spells, so that in her absence her lover would remain true to her and wait for her return. And all these lurid blasphemies seemed to her worthy of belief when, in her prison house of Chartley, she received Rochester's love letters, cunningly modelled by his tutor, Overbury, to which she replied with her own simple ardent appeals.

The law has to be obeyed. The bargain has been made. Even the great magician, Simon Forman, cannot, as yet, charm the seal from the bond of matrimony, though he promises the girl mighty miracles in the future. So it comes about that one fine May morning the doughty Essex carries off his weeping bride in the old family coach with sturdy cart-horses to drag it along through the ruts of the great North Road. The young Earl rides by her side with his retinue. They rest at inns and the houses of friends. Outwardly before the world she is a demure, obedient wife. But alone the girl will have no word with him and retires with her maid, Alice, a girl Mrs. Turner had found for her, and leaves her husband to himself.

In this strange way they reach Staffordshire and the big grey ancestral home of Chartley. The coach rolls up to the entrance hall. The beautiful bride alights, and, giving her hand to her husband, is led through the rows of admiring servants to her apartments. Here she curtsies low to her lord and master, and then pushes the door in his face and is seen no more, to the scandal and chagrin of the Earl's household. For though it was the pleasantest time of summer, the young wife shut herself up in her chamber, not suffering a beam of light to

peep in at her dark thoughts. If she stirred abroad it was in the dead of night when all the household was asleep, and in this implacable manner she continued for many months, never giving the least civil respect to her husband.

Essex seems to have suffered this folly with exemplary patience for a while. He wrote his complaint to his relatives, and the girl's parents and one of her brothers came down, and after a discussion a treaty was made that she should at least appear at his table, from time to time, and receive his guests, though she should not be interfered with in her own apartments. But this could not continue for ever, and though Essex offered her no violence he often broke into passionate discourse with her, giving her hard words and sharp answers, to which she replied by withdrawing herself from his company and not appearing for several days.

It was at this time that she wrote these pitiable appeals to her "sweet father" Simon, and her beloved Anne Turner, which were, unfortunately, not destroyed as she had ordered; and remained to witness against her, stark foul evidences of her guilt. Shocking as are these appeals to her horrible friends, at least let us remember that it was not her own original sins that cast her into this slough of despond. As a human being, every natural right of liberty had been denied to her, and her parents, husband, King, and the law of the land sought to force her to a union to which she had never given real consent, and which was morally and physically hateful to her.

Sad that at such a crisis Mrs. Turner is the only woman confidant the girl can approach. We find her writing to her friend bidding her "Burn this Letter." A request, alas! that was not complied with, as we meet with it later in the dossier of her crime.

"Burn this Letter.

"SWEET TURNER,

"I am out of all hope of any good in this world, for my father, my mother, and my brother said I should

lie with him; and my brother Howard was here and said he would not come from this place all winter, so that all comfort is gone; and which is worst of all my Lord hath complained that he hath not lain with me and I would not suffer him to use me. My father and mother are angry, but I had rather die a thousand times over, for besides the sufferings I shall lose his love if I lie with him. I will never desire to see his face if my Lord do that unto me. My Lord is very well as ever he was, so you may see in what a miserable case I am."

"His love" was Rochester's love, the sun god of her dreams promised her by the man of magic. The adoration of this man was the real incentive of her course of conduct far more than mere hatred of her husband. This is made manifest by another letter she wrote to Forman, which shows how seriously she regarded the oaths of her initiation and believed in the omnipotence of the arch-quack. The folly and horror of it all are beyond the invention of romance, but when moralist historians drawl out adjectives of detestation for the wretched girl-wife of seventeen, the "abandoned woman" of their sermons, one feels that they might have used them with more telling effect on those statesmen who, for their own sordid ends, thrust the child into this hell, from which at least it was natural she should struggle to escape.

"Sweet *Father*,

"I must still crave your *love*, although I hope I have it, and shall deserve it better hereafter; remember the *galls*, for I fear, though I have yet no cause, but to be confident in you, yet I desire to have it as it is yet remaining well; so continue it still, if it be possible, and if you can you must send me some good *fortune;* alas! I have need of it. Keep the *Lord* still to me, for that I desire; and be careful you name me not to any body, for we have so many *spies*, that you must use all

your *wits*, and all little enough, for the world is against me, and the heavens favour me not, only happy in your *love* ; I hope you will do me *good*, and if I be ingrateful, let all mischief come unto me ; My *Lord* is lusty and merry, and drinketh with his men, and all the content he gives me, is to abuse me, and use me as *doggedly* as before ; I think I shall never be happy in this *world*, because he hinders my *good*, and will ever, I think so ; remember (I beg for *God's* sake) and get me from this vile place.

" *Your affectionate loving Daughter,*

" Frances Essex.

" Give *Turner* warning of all things, but not the *Lord*. I would not have anything come out, for fear of my *Lord Treasurer*, for so they may tell my *Father* and *Mother*, and fill their ears full of toys."

In the agony of her call for help you have actual proof of the reality to the girl of the priesthood of Father Forman. What drugs and potions he sent to her, how far she flavoured my Lord's wine with them, and what effect these philtres had upon his manhood, who may say? But that Frances Howard believed, as many women have believed before and since, that her magician was ordained with power to save her from her husband and bring her to the lord of her heart, is clearly shown in every word and phrase of her letter.

Dr. Forman and Mrs. Turner wearied not in ill-doing, and the time and industry that they gave to the bewitchings of Rochester and Essex towards love and hate should surely have produced great results. Many believed that they did. For at this period Mrs. Turner made constant visits to Lambeth, and the rogue, who had an eye for a pretty woman, made her very welcome. She spent many hours locked in the magician's room, where they manufactured spells and charms and figurations, and if Mrs. Forman's suspicions were correct, committed other less inhuman wickedness. Strange how careless the criminal is in making enemies. But for the

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jealousy of Mrs. Forman, Anne Turner and many others might not have met their doom.

But Forman had a very winning way with women, and could terrorise them, too, if he willed. Moreover, he allowed no interference with his affairs from his wife, who, in his lifetime, was in all things his humble and obedient servant. It was only after his death when, as widow, she took out letters of administration to his estate, that she gathered up, and carefully treasured in a box, the figures, and paintings, inscribed scarves, and other paraphernalia of beastliness, that Anne Turner and her late husband had left lying about his room. For though he foresaw his death, yet in the end it was sudden, and he himself made no great preparation therefor, and certainly left letters and other incriminating documents behind that in all courtesy to his clients and victims he might fairly have destroyed ere he departed.

For Simon Forman foretold his own death with exact success. If there be such a gift as second sight, this man may claim to have possessed it. Now many good people believe in this gift of second sight to this day, and with them Forman's powers will be as readily credited as they were in his own day. But his case certainly raises the vexed question of whether the gift of second sight is a divine gift, and is a manifestation of good spirits, who enact the future on the stage of the mind's eye to foretell and warn folk of impending danger, or whether, as others say, it is a mere branch of black magic. There are clearly two schools of thought on this grave matter. For, as an old writer wisely says: "To what purpose should the Devil, who is never guilty of doing good except with a design of evil, I say to what purpose should he foretell evils awaiting this or that man who cares not what evil may or can befall him?" And, indeed, to warn a good man of danger in his path in order that he may avoid it: "this," as our author says, "is not like the Devil, who is always seeking man's destruction."

But as against this expert and authoritative view there can be no doubt, if the facts are correctly reported, that Doctor Forman was gifted with second sight. Now that any supernatural gift this rascal possessed was a gift of the Devil no reasonable man will deny, since it is matter of history that he had sold himself to the Evil One, and openly boasted that the Devil had honoured him by inscribing his name in his visitors' book at Lambeth.

But to the facts! We have his wife's own testimony that one Sunday evening when they were at supper in their garden-house she asked him half-seriously if he had power to resolve whether a man or his wife should die first. At which the man of magic laughed grimly, as if it were a fool's question. But his wife pestering him for an answer, he told her to mind her business. She, thinking maybe that this was her business, said:

"Tell me this at least, husband, whether I shall bury you or no?"

"Oh!" he replied carelessly, "you shall bury me, but thou wilt much repent it."

She looked at him in wonderment, trying to make out if he was in earnest or only teased her.

Then said she: "How long will that be?"

To which he made answer: "I shall die before next Thursday night be over."

At this his wife laughed, as being sure now that he was speaking in humour and not in earnest.

The next day, being Monday, all was well and she said nothing. Tuesday came and he was not sick. Wednesday came and still he was well. Then his impertinent wife began to gibe at him and twit him in the teeth with what he had said on Sunday, but the grave doctor answered her not, unless it was to tell her to hold her noise.

Thursday came, and he had to go down to Paddle Dock, to look at some buildings he was erecting, which seemed a strange task for a man about to die, and his

wife laughed loudly after him as he strode across the fields to the river. Here he took a pair of oars and sat in the stern, wrapped in his cloak, silent and thoughtful. But when he was come to the middle of the Thames he presently fell down and cried out: "An impost! An impost!"—meaning that the arch of his life was spanned—and so died.

And at that moment a dark black cloud rose across the river and a great storm burst upon the scene, as many testified who were on the river at the time on their daily business.

Now when Frances heard all these terrible things from Mrs. Turner she was in dire distress, for the death of her sweet father was a blow to her hopes. And though other wise men of magic were consulted by Mrs. Turner, to wit, Doctor Savories, a conjurer, and Master Gresham, who was skilled in mathematics, and in his later years practised witchcraft, yet no one could replace the sweet father himself, and their efforts at magic did in no way suffice to bring the girl her freedom.

About this time we learn that she came out of her self-inflicted prison, and so far surrendered to her husband as to go about with him in public and stay at the houses of his friends and relations, so that the world heard nothing at the time of their sad disputes, and such gossip as had buzzed about the Court was stilled, and forgotten.

And now in the autumn of 1612, when the two had lived together some two years, the great world was making towards London for the wedding of the Princess Royal to Frederick the Fifth, Count Palatine of the Rhine, Duke of Bavaria, and Elector and High Steward of the Empire. This Protestant alliance was greatly to the liking of the nation, and especially of Prince Henry. Naturally the Earl of Essex took great interest in so happy an event, and when he received a command from the Prince that he should be present at the wedding he accepted it with pleasure.

His wife was at least openly tractable in these days, though they had no joy in each other's company. When he told her to prepare to ride to London for the wedding and its feasts and banquets she bowed her acquiescence, saying it was as her lord pleased. But when he had gone out to the stables to inspect his coach and discuss the horsing of it for the journey she rushed up to her room and calling for Alice and telling her her joyful news the two women begin to empty and refill trunks and wardrobes and band-boxes as though they had been ordered to furnish a regiment of women to follow the Princess to the Rhine.

Chapter XII: *Court Circular*

WE must now return for a while to the doings of the Court. During the months of Frances Howard's exile in Staffordshire Viscount Rochester had been made Lord High Treasurer of Scotland and Knight of the Garter. Robert Cecil, Earl of Salisbury, the real ruler of the country, was known to be a sick man. Rochester was a greater favourite than ever, and Sir Thomas Overbury, in his own estimation, and in the opinion of many others, was on the eve of great advancement.

He was, however, foolish enough on many occasions to show his pride and independence by discourtesies to the Queen. One day as he and Rochester were in the gardens together the Queen said to one of her ladies: "There goes Rochester and his Governor!"

At this Overbury burst into a loud guffaw as if openly deriding the Queen.

James was full of anger when this was reported to him, but his rage was turned to mirth by the witty defence of the culprit.

"Indeed, your Majesty," said Sir Thomas gravely, "my Lord Rochester will tell you that we heard nothing of Her Majesty's remarks. But my lord was at that moment telling me a merry jest which your Majesty had made at dinner."

"About the puir hound and the painted lady?" asked the King, with a chuckle.

Rochester, who was standing by, nodded, smiling, and Sir Thomas Overbury, taking his cue, laughed respectfully. The contagion spread with the memory of the jest. The three laughed in unison. The accused was acquitted.

But later on he committed a more serious offence. James was in the habit of handing the Queen's letters of complaint or demands for money to Rochester for his advice, and Overbury, who read and considered these letters, was indiscreet enough to blab about their contents. This justly enraged the Queen, who brought the matter before the King in Council, writing an indignant letter to Cecil about the matter. This affair led to Overbury undertaking a mission to France for a few months, from which he returned shortly after the death of the Earl of Salisbury, when Rochester became the King's right hand in State affairs and Overbury was, in consequence, more important to him than ever before.

Had he foreseen how one day he would want a voice at Court to plead mercy for him he would not have exploited his wit on Her Majesty, who, though a foolish creature, had a kind heart for those in distress.

And now the latest from the Court is that Cecil is in disgrace, at which serious news the quarrels of little men are forgotten. Then it is said that Cecil is ill and cannot live and that the King has forgiven him his trespasses and sent Mayerne to cure him. The Angel of Death rides out towards Hatfield, and when he sees him knows that his hour is come. But not by announcing this fact prematurely are fortunes made in the medical profession. The fat doctor feels Cecil's pulse; cross-examines his patient according to precedent. Cecil is fond of raw fruit, grapes, figs, apples. Dr. Mayerne holds up his hands to heaven in horror at the confession. The statesman puts in a plea for nature. Fat science, with tolerating shake of the head, waves nature aside. He is there to represent His Majesty and give commands. He decides for Bath. Even then was that fair city the dumping-ground of medical job lots. Cecil sighs and orders his coach.

The poor man was too ill to travel, but he obeys his master's orders. Bath can perform no miracle for him, and in May he determines to come home to die. He

gets as far as my Lady Stapleton's house at Lacock the first night, where he lies for two days in great distress of mind and body, muttering prayers and entreaties to be carried home. On the Saturday they reached Marlborough, and on Sunday his chaplain, Dr. John Bowles, went to preach at the church, leaving him in the hands of Dr. Poe, the local physician. He lay in bed in a sort of swing that his servants had made for him so that he was easier than lying on his back. When the chaplain returned, this swing had broken, and whilst it was mending they placed him on two pillows.

But it was clear he was far from comfortable, and he called upon them in a despairing whisper to lift him up but this once.

Dr. Poe held him by the hand, and Master Townsend, his steward, raised the pillows. He made a mighty effort to grip the doctor's arm and pull himself up, but it was clear the effort was too great for him and his eyes began to settle. He called out "O Lord!" and sank back without groan or sigh or struggle and was gone. Master Bowles fell on his knees, and the others round the bed did likewise, and the chaplain prayed in fervent tones that God would relieve his soul and spirit.

Thus departed Robert Cecil, Earl of Salisbury, the last English statesman that stood between the Stuarts and their ruin.

At the news of his death there was a sense of relief that the wise, lonely, powerful creature had passed away. The King was pleased that a check on his selfish follies was removed. The Prince felt that there would be greater scope for his wisdom and energy in State affairs. Howard knew he was now without a competitor in the sport of state-craft. Rochester was already acting as secretary, and Overbury saw himself within the sacred ring of the Council.

But for a short space high affairs of State were forgotten in the preparations for the wedding of the Princess Elizabeth. After the Prince, she was the most popular

member of the Royal Family, and no one grudged the expense which was being lavished on the ceremony.

The Palsgrave arrived in October, and at the same time the public learned, with real grief and dismay, what had been known for some weeks in Court circles, that Prince Henry was seriously ill. The truth is that the young Prince had never been of strong physique. He lived a full life, and beyond doubt overtaxed his strength with military and other exercises. He himself often said that he thought old age no precious gift, since "it was to small purpose for a brave, gallant man, when the prime of his days were over, to live till he were full of diseases."

On Sunday, October 25th, he was at Whitehall to hear a sermon, and the preacher chose as his text: "Man that is born of a woman is of short continuance and is full of trouble." The text seemed almost to have been prophetic of his danger, for that very afternoon at the dinner-table he was taken suddenly ill with sickness and fainting and was carried back to his palace of St. James's. It was on this occasion that it was alleged he had eaten some poisoned grapes, and when, in after years, Lord Chief Justice Coke was investigating other matters, he was unwise enough to remark in open Court: "God knows what went with good Prince Henry, but I have heard something," a phrase that cost him the King's favour and his high office. Two things also told against the King in these base suspicions. First, that he sent his physician, Mayerne, to his son's bedside, who violently quarrelled with the other doctors about diagnosis and treatment, and, further, that when his son died he gave order that there should be no mourning and the Christmas festivities should proceed as usual.

For Mayerne contended, against Butler, Atkyns, and the English doctors, that their patient must be bled, and they, on their part, absolutely refused to allow any such thing, prescribing, among other things, that a cock should be cloven by the back and applied to the soles

of his feet, which the fat foreigner derided, and they, in their turn, fought with him on the subject of bleeding. At length Mayerne told them that they must forget that they had a prince in hand and must pursue the same method of cure as they would with an ordinary person. Otherwise, for aught he saw, he must die because he is a prince, though if he were of low rank he might be saved. This moved them to allow their patient to be bled on one occasion, which seemed to relieve him, but Mayerne was not allowed to have his way any further, and so he returned to the King and told him that nothing could be done, and His Majesty then gave order that Mayerne was to do what he would, without the advice of the rest.

All this got noised abroad, and led to many of the rumours that are scattered up and down the letters and records of the time. But as far as can be known to-day, there is no truth whatever in the suggestion of foul play. The young Prince died of typhoid fever, as many of his subjects had done in that insanitary age of filth, and passed away on Friday, November 6th, 1612, at the age of eighteen and a half.

And now there was no one to withstand the ambition of old Henry Howard, who, at the age of seventy, might, one would think, have left the world of politics for holier meditations. But it is strange how men cling to the offices of government even when old age, illness, and the grave are tugging at their bedclothes. The passing of the young Prince set all men free in that foul Court to follow their worst instincts. James could revel in his favourites and less squalid pleasures without fear of reproving glances. Rochester had no longer to meet the scornful frowns of the Prince. Nor need Frances Howard trouble her mind any longer that a prince's influence would be used against her plans for the future. The Earl of Essex had lost a friend and champion who could have stood between him and the injustice of the proceedings which were to give the

Countess her freedom. For no sooner was the Prince interred at Westminster than the world learned, with astonishment, that the Countess had left her husband and gone to live with the Earl of Northampton, who had openly petitioned the King that her marriage should be forthwith annulled.

Chapter XIII: *The Quarrel*

ALTHOUGH the funeral meats for Prince Henry's obsequies were scarce cold when the bells rang for the marriage of his sister Elizabeth, the celebration of the wedding was a festivity of wonderful riches and bravery. It is said that the marriage of Elizabeth to the Palsgrave cost James a hundred thousand pounds. But this was not an extravagance that the country resented. For the match was to the contentment of all well-affected people. They joyed in it, since it brought hope of a firm foundation for the stabilising of religion. The Catholics, among them Henry Howard, were antagonistic; Danish Anna at first sneered at her daughter's homely husband and nicknamed her "Goody Palsgrave," but when it was seen how enormously popular the business was with the people, nothing was heard of these objections in Court circles, and with one accord rich and poor joined in rejoicings.

The dresses of the ladies were the most extravagant ever seen. Lady Wotton's gown cost £50 a yard for embroidery, and the two daughters of Lord Montague, to the joy of themselves and the disdain of all the other young ladies of the Court, spent £750 apiece on their wedding apparel. The King had a special hall built for the banquet, and in the evening there were fireworks and a sham fight on the river which cost over £9,000, and then there were masques upon the ensuing nights, and the revellers of the Middle Temple and Lincoln's Inn gained great credit with their show, riding down the Strand to Westminster in their costumes and making a grand display of dancing at Whitehall.

But now the last draught of hippocras has been drained

from the golden bowls at the banquets, and the pearls and diamonds and gold and silver and silks and fine linen and embroidery are packed away, and the Palsgrave and his bride have ridden off towards Flushing, the King accompanying them as far as Rochester. London is weary of gossip about wedding fineries, and the only man interested in them to-day is my Lord Treasurer, who is looking into the accounts. For the lawyers in St. Paul's, the gossips in the City, and the lords and ladies of the Court are all asking of one another who knows the truth of the strange stories that are floating about the town concerning the beautiful Countess of Essex.

For it becomes known that, with the full approval of the Earl of Northampton, her great-uncle, she has left her husband, and it is alleged she charges him with being no husband to her, and he himself is ready to admit this, in so far as she is concerned. Others say that he declares he has been bewitched, but refuses to consent to any divorce or nullity, and the Earl of Northampton, moving on behalf of the Countess, has demanded of the King a Commission to inquire into these strange matters and decree a nullity of marriage between husband and wife.

The Countess had bought Sir Roger Aston's house at Hounslow, and withdrawn herself to that place. She also visited Mrs. Turner, who had a house at Hammersmith, where she and Rochester met. It is not to be believed that she then, or at any time, told him anything of her traffic with Forman and the other wizards and wise men she had consulted. Forman had, it is true, written her a magic letter, which she had sent to her lover, and bequeathed her an enchanted nutmeg, of which she made him love philtres. But that these things turned Rochester's mind towards thoughts of love and marriage is scarce to be believed. For from the first she had enchained his heart and he hers, and now when she comes to him with this tragic story of the

woes of her married life it seems as if heaven had preserved his beloved to be the crowning glory of his success, and he rushes to the King, intent on urging him to push forward the appointment of the Commission without further delay.

The matter was one which readily appealed to the royal instincts. Here were to be discussed matters of religion, closely mingled with intimate physical phenomena ; lawyers' pedantry was to grace the board, and who knows but the spices of witchcraft and demonology were to flavour the discussion. The end of it was, of course, to be as the royal will dictated, and since Rochester wanted the girl, Rochester " maun hae " the girl. For the King's one great principle throughout his life was to spoil and pamper and heap gifts upon the favourite who, for the time being, had secured his affections.

Henry Howard, now that Salisbury was gone, was the King's chief adviser and councillor. The Earl of Suffolk, his nephew, Frances's father, as Treasurer, was the next greatest power in the State. Both these men were clamouring for the nullity Commission, hoping by the bribe of their golden girl they might grapple Rochester to their party in lasting bonds of love. One can believe that if the matter could have been pushed through without faction and delay, the girl's troubles might have ended and the poor butterfly have fluttered through the brief pleasures of courtly life, like many another noble dame of the peerage whose names we read, but whose love stories are told *in camera*, if at all, and not dragged before a squalid public into the light of law.

But Rochester had many enemies, and if the nullity Commission could be defeated it would be a shrewd check to him and his party. The fact that it would break the heart of a girl and hand her bodily back to a husband she hated was of no import. It was, indeed, no more to be considered than you would expect a

player to concern himself about the future happiness of a pawn or a rook in a chess game. The game of politics was the same then as now, and has always concerned the fortunes of the players and not the pieces to be moved or the cards to be played. Indeed, the fact that cards and pieces are human lives makes politics the true sport of gods and kings, though men and women are broken and torn and cast into outer darkness when the game is over.

The parties against Rochester were powerful, and the nullity Commission was a fine struggle of pull devil, pull baker, with the old King lolling and gurgling in the umpire's chair and giving his casting vote for the devil when time was called.

The forces arrayed against the favourite were powerful. The Queen and her friends were now more angry with him and his man, Overbury, than ever before. She was distraught at the tragic death of her son. Sir Walter Raleigh at the last had sent her from the Tower a nostrum, which he told her would cure all fevers but those produced by poison. As we know, it had not cured the Prince. And now the Queen declared that Rochester had poisoned her son, that her husband had knowledge of it, and that Overbury was their instrument. These ravings were at length stilled, but the rage that prompted them remained.

Then there were the new forces in the State. The coming men like Sir Ralph Winwood, Sir Thomas Lake, who had been appointed Acting Secretary at the royal wedding, and was in some favour with the King—these and others, though at present they stood like dogs at the favourite's table waiting for crumbs, were known by Howard to be wolves at heart, ready to tear the favourite to pieces if he slipped and fell.

In spite of Rochester's enemies the affair would have gone through without serious trouble but for one man—his dear friend and adviser, Thomas Overbury. The lack of principle in this unhappy man is nowhere

more clearly shown than in his behaviour to the young Countess. From the first he had feared her influence over his master. When she joined her husband he made no difficulty about helping his master's unholy intrigue with his letters and poems. But now that she was going to carry Rochester away into the camp of the Howards the serious question arose—the only serious question in the life of a place-hunter—what was to become of Thomas Overbury ?

If this marriage took place Henry Howard would be the sole power in the State. Rochester would do his bidding. The marriage of Frances Howard to Robert Carr meant an end to Overbury's ambitions. He could, if he dared, stop the marriage. The correspondence between his master and the Countess of Essex once made known to the world, the alliance would be impossible. He had that hold over Rochester, but, of course, there would be no need to use it. He would show his master the folly of the affair, explain to his simple mind the net Howard was spreading for him and force him to break with the woman before things went farther.

With selfish lack of insight Overbury began his task, in apparent ignorance of the danger he might apprehend from the rage and fury of a girl robbed of a husband on the eve of a marriage, and the impenetrable obstinacy of a fool in love with a beautiful woman. He opened his campaign by refusing to write further letters and cut off the supply of sonnets. When Rochester asked him why this was done he pointed out the dangers of this alliance. The woman, either as wife or mistress, would draw him from his duties at Court. Even now he was always riding off to Hounslow or visiting Hammersmith and neglecting the King. As the King had made, so he could unmake.

But the golden youth would listen to none of his wise mentor's prognostications. He waved him away with merry laughter, telling him to stick to his office work and leave his master's love affairs alone. Sufficient

for the day was the love and glory of it, and when Overbury pressed his arguments further Rochester hinted that his discourse was displeasing to him.

Would that Overbury had taken the hint, but his mind was made up. He felt he had the power in his hands and must use it for his own personal advancement. The marriage meant an end of his career. He intended to stop it.

Henry Howard's spies brought him word that Overbury was talking in Paul's and at the ordinaries of the suggested nullity Commission, and giving reasons in law and divinity why it must fail of its purpose. Some told him that he used foul epithets about his great-niece and her father and mother, using them with so much scorn as in truth was not to be endured from a fellow in his rank to persons of that quality, how faulty soever otherwise they were.

The Earl of Northampton sent for Rochester, and told him these things, saying: "The scab's mouth must be shut or evil would come of it."

In all his letters and talk "the scab" was his only name for Sir Thomas Overbury.

Rochester was in a fury of anger with his friend. Black hate of him entered his heart. He left the house in the Strand full of rage against him. But as he walked across to Whitehall he began to remember, with dismay, how much he had trusted his secrets to Overbury and how entirely he was at his mercy. Still the man must be handled and silenced or, as Northampton predicted, "evil would come of it."

Rochester did not seek a meeting with his secretary during the next day or two. His wits did not teach him how the affair could be best dealt with, and the more he considered the business the graver the difficulties appeared. From the earliest he had in all things looked to Overbury for guidance and advice. He felt at the back of his mind that the man, though selfish, meant well to him and his interests—but then there was

Frances! He would see Northampton again and take his advice in more detail.

A few nights later Sir Thomas Overbury and his servant, Payton, went down to Whitehall with some papers which required Rochester's signature. They reached the Court before eleven o'clock, but the favourite was within the bedchamber with the King. Overbury sat in a gallery near by, biting his nails and listening with a gloomy face to the sounds of revelry within. Tom Badger was singing a song, Archy was shouting a chorus, glasses clinked, and there was laughter and clapping of hands as each song ended. Servants carried in more wine, and the impatient Overbury cooled his heels in the gallery, waiting until the King should retire to rest.

It was getting towards midnight when Rochester came out of the King's apartments. He seemed ill-pleased to see Sir Thomas, but, taking him into an adjoining room, went to business, and signed the papers as he was directed. Sir Thomas was then about to accompany his master, but Rochester bade him good-night, saying Payton should come with him, as he had promised to go across to Northampton House, where all knew Frances Howard was then living.

Upon this Overbury burst out with great vehemence, "Will you never leave the company of this base woman!" and they began quarrelling fiercely, but in whispers, fearing their noise might disturb the King.

Overbury did not, as Payton heard, plead his cause with any sense, but added fuel to Rochester's anger by continued abuse of his beloved, saying: "Well, my lord, if you do marry that filthy, base woman, you will utterly ruin your honour and yourself. You shall never do it by my advice or consent, and if you do you had best look to stand fast."

Upon this Rochester laughed at him with contempt, and Sir Thomas said that if the King knew all that he knew of the correspondence with the Countess of Essex, the Commission could never go through.

"I win you the love of your lady by my letters and industry and can stop you going to your ruin by a word to-day. And seeing you so neglect my advice I desire that to-morrow morning we may part, and that you may let me have that portion that you know is due to me, and thus I will leave you free to yourself to stand on your own legs."

"Keep your brags to yourself," answered his master, who was angered beyond patience. "My own legs are straight and strong enough to bear me up, but in faith I will be even with you for this."

"And so," says Henry Payton, "he parted from him in great displeasure."

Rochester strode across to Northampton House, Payton carrying a torch before him, and told the Earl of Northampton the whole story. The old man listened in silence, and said nothing for a while, stopping Rochester in his angry discourse as the door of the room opened and the lovely Frances came rushing into the room to the arms of her lover.

A supper was laid in the ante-room, and the three sat down, sending the servant away that they might discourse freely about State affairs.

Frances inquired eagerly how the affair of the Commission proceeded. Rochester at first tried to hide from her the difficulty that had arisen, but the Earl did not second him, and he had no skill in deceit, so by shreds and patches the garment of Overbury's villainy was pieced together. Some dear friend had that very day shown her the script of her enemy's poem, "A Wife," and she had read many of its shrewd lines as sermons thrown at her honour. As Rochester blurted out some of the foul abuse that Overbury had uttered the girl turned pale with rage.

The old man, sipping his wine, said in a dry tone: "The pity of it. Just as the Commission is going through. We must silence the scab or there will be trouble. What is your cure for the fellow, Frances?"

A flash of memory brought to her mind the scene of a merry play they had all seen at Gray's Inn a day or so ago.

She gripped her lover by the arm and put her white, pleading face close to his. "Kill Claudio!" she whispered. "Kill Claudio!"

Rochester stared at her in dismay.

But the Earl only laughed at her enthusiasm. "Leave the affair to us, little mouse. There are many ways of silencing a man without putting a sword through him."

Chapter XIV: *Overbury to the Tower*

FROM this moment the destruction of Overbury was the one absorbing idea in the mind of this unhappy young woman. He was a sinister figure standing between her and the beloved one. He exercised an evil and contrary influence on the man she loved, stood, as it were, in her place at his side, usurping her sovereignty. Northampton, the eminent, business-like statesman, regarded him as matter in the wrong place, mere dirt to be removed out of his path. The King, too, was tired of the fellow. Now that the festivities of the marriage were over it was expected that new officers would be appointed to fill the vacancies caused by the death of Robert Cecil and others. Overbury was understood to be pressing his claims. The King was worried. He consulted his foreign friend and physician, the good Mayerne, and grumbled about Overbury's pertinacity. The fat doctor shook his head over it. "His Majesty's mind must not be disturbed, it was bad for the liver. When a bluebottle buzzes too loud what is there to be done? Crush him!" He brought his two fat palms together and smiled pleasantly at the thought.

Except for Rochester himself, the foolish fellow had not a friend at Court. And Rochester was no longer, as he had been, Overbury's vassal, but was chained, body and soul, in a more delightful thraldom that made him careless of the loss of his secretary. No one wanted Overbury either free or alive, but with Frances Howard there was a direct desire and intention to kill and destroy.

Psychologists who have studied criminals tell us that women yielding to anger and hatred are emotionally at fever heat in their desire for retaliation. They seem to

be obsessed with a fixed idea that only by sacrifice can relief be obtained. Calmness of mind is only to be reached when vengeance is satisfied. But while they are feeding their courage and nursing their wrongs they go about their preparations in a business-like way and have the wit not to allow those about them to suspect their thoughts.

There is no evidence whatever that Frances told her lover of her intentions against his quondam friend, nor that he had any truck with Mrs. Turner and the devil's crew who were in her service.

But there could be no peace for Frances whilst Overbury remained at liberty, insolently threatening the success of the Commission which was to bring her happiness and a husband. Her first thought was that she would have him attacked and slain, in a quarrel, and her quick mind remembered a man who might readily serve her purpose.

Sir David Wood was a servant of the Queen who, some year ago, had obtained the King's consent to a suit in which he was petitioner. It was one thing to get the royal consent and another affair to obtain that consent, signed, sealed, and delivered on good ram parchment, from the officers of the King's Council, and this matter was handed over to Rochester to deal with, and by him thrown across to Overbury to do as he willed with it.

The suit in due time was reduced into legal form, and the documents sealed and delivered, but Sir David declared that the value of Overbury's services had been so magnified that all Sir David received was £1,000, whilst £1,200 had been taken by Rochester's secretary. Much anger had been displayed, and many wild words uttered by poor Wood, who had threatened to waylay Overbury and bastinado him.

When the King and Queen went into Kent with the Lady Elizabeth, Frances sent for Sir David and had a parley with him about his wrongs.

"For," said she, "as you are a gentleman who can revenge yourself I can put you in the way of recovering the money you have lost and bring vengeance on the fellow."

"How may that be?" asked Sir David. "For I have offered to go to France and meet him there in the field, but the coward refuses to go."

"Meet him here, then, and kill him, and you shall have your £1,000 again. The man has wronged me sorely. I would give that and more to hear of his death."

"The King's heart is deeply set against such doings," said Sir David doubtfully. "I would be loath to hazard Tyburn upon a woman's word."

The Countess flushed angrily.

"My Lord of Rochester will ratify anything that I say," she replied.

"If you will bring me that in my lord's writing I will consider further of it," said Sir David, and the Countess promised to see him later and tell him what was to be done.

Rochester remembered in after years that something had been said about someone in Court falling out with Overbury and offering him affront, but it was not followed. There is certainly no evidence that Frances ever put this plot to murder Overbury before her lover. But this we know, that when she met Sir David again she told him that she could go no farther in the business, and the matter dropped.

For though Rochester was weary of Overbury's insolence and the continued impertinence of his counsel, he did not share the Countess's hatred of the man. That he was not in like fear of his threats goes without saying, since all agree that he was a brave man and not given to vapours, nor did he really believe that he could greatly injure him with the King. For his brain was not so subtle as that of the Earl of Northampton, who readily understood the ill that Overbury could work if

he had the mind. The Earl of Northampton had resolved, at the learning of the trouble, that Overbury should be crushed.

And now the plan was for Northampton and his friends to whisper to the King of the insolences of Overbury, and how he boasted that in governing Rochester he governed the King himself. Her Majesty the Queen readily lent herself to these plots, for she hated Overbury and longed to see him degraded, shrewdly believing that if he went his master would not be able to carry on without him.

Rochester's good nature was worked upon by the Earl to join him to this extent in the plot which he made against his secretary. For it was clear that he would not be an active party in bringing about the marriage which his patron so eagerly desired, and that as long as he was about the Court the delicate nature of their schemes might be spoiled by his blabbing. It therefore seemed very reasonable, and indeed no unkindly way of dealing with the favoured secretary, that he should be sent abroad for a while to some distant post until, when all was achieved, he might safely return.

The Earl of Northampton was the mover in this business, and he it was who advised James that it was not wise to have so busy and insolent a fellow, who knew so many State secrets, kept longer in Rochester's service. James was, indeed, jealous of any man who shared with him the friendship of the favourite, and fell in with the Earl's suggestions very readily. The hint that he had dared to criticise the policy of the King in connection with the nullity Commission made His Majesty exceeding wroth, and he was so angered with him that he would have sent him to the Tower on the word.

But the Earl had a cleverer way of dealing with his victim, which much commended itself to the crafty King, who was ever ready to carry out his plans along crooked lines rather than to take a straight path to his goal. At

the Earl's prompting he resolved not to sever Overbury from his master disgracefully nor violently, but in some honourable fashion so that there should be no thought in the mind of those about the Court that his action was in any sense a reprimand to the favourite.

The King therefore commanded Archbishop Abbot —with whom he was in discourse about the proposed Commission—to send for Overbury, and in the course of conversation hint to him that if he moved for the appointment of Ambassador to Russia His Majesty might be graciously pleased to consider the matter of his suit. This fish, however, would not bite, and the Archbishop had to report to the King that all he had received from Overbury was humble and grateful thanks, coupled with a very blank refusal to undertake the duties of an embassage, since he had no desire to leave his present service.

The King still concealed his anger, and at the next meeting of the Council nominated my Lord Chancellor Ellesmere and his old favourite, Philip Herbert, Earl of Montgomery, to put the matter roundly before Overbury as an offer direct from the King himself, and, further, to assure him that on his return he should have the reversion of the post of Treasurer to the Chamber, now held by Lord Stanhope.

But notwithstanding all these endeavours to smooth the path of his retirement Sir Thomas Overbury remained obstinate and would not go. In vain did Rochester argue with him and threaten him with the King's anger. Overbury pleaded illness. He had been ailing for some months. He reminded Rochester of their long friendship and his services, and begged him to go to the King and obtain leave for him to remain in England.

It was here that Rochester played the false friend, for he should have utterly refused to carry any such message, knowing that if the King heard it his patience would be exhausted and Overbury would be disgraced.

How far he pleaded with the King or what arguments he used to persuade him to accept Overbury's rejection of the embassy, matters little. Perhaps he took no steps whatever. But he returned to his friend after a while, saying: "I cannot serve you in this business. The King demands obedience to his will."

Overbury did not even then believe that they would push him to extremes.

"I will never believe that a man of my position can be banished from the country in this fashion," he said angrily.

Rochester threw up his hands in despair at his obstinacy and left him.

When it was noised about the Court that Overbury had been offered the Russian Embassy and was like to refuse it, there was much talk about the matter. For a man of his rank and position any embassage was a great post. Some said Rochester refused to part with him, and that he and the King had quarrelled over the business. Others said that Rochester was weary of his secretary and tired of his governance.

Sir Henry Wotton, who was at that time home on leave from Venice, was very indignant when he heard of the affair, and speaking to Northampton, said:

"What does the man ask for? What greater trust can His Majesty impose on an honest subject than to send him to lie abroad for the good of his country?"

The Earl laughed approvingly.

"We shall see that his talents will be used abroad or not at all, Sir Henry."

"For my part, I should esteem his refusal an eternal disgrace to our occupation if withal I did not consider how hard it is to pull one from the bosom of a favourite."

"It is the King's will he should go," said the Earl, "and the King will be obeyed."

The King could in no case have been brought to believe that a man in Overbury's place would dare refuse his offer. He had never cared for the man, but tolerated

him as a servant of his favourite He had in his indolent way been much distasted with the gentleman for too stiff a carriage of his fortunes. His scandalous conduct with regard to Her Majesty had not been forgotten, and now that Rochester was willing to part with him he should go, and Russia seemed a fit and proper place in which he might cool the fever of his ambitions. His Majesty gave his instructions in the matter to the Lord Chancellor to be dealt with without delay.

There was a Council on Wednesday evening, April 26th, 1613. Sir Thomas Overbury was bidden to attend. He found that the order of the day was his own future. Lord Chancellor Ellesmere, without beating about the bush, offered him in the King's name the embassage to Russia.

To the surprise of the Council Sir Thomas began to make excuses. He was not capable of such employment for want of language, nor could he offer to undergo it by reason of his weakness, being exceedingly troubled with the spleen. He began in an ineffective way to explain that often if he had a long letter to write he was fain to give over, on account of pain and swimming in the head. This excuse of ill-health was not, however, an invention. The man was really ill. Some say he was already in a consumption.

But the Council were not there to listen to excuses for disobedience to royal commands. Lord Ellesmere stopped him very sternly, reminding him that His Majesty intended this embassage for his good and preferment, and urged him to consider more carefully how he answered the King's gracious offer. To which the foolish man replied with some heat that he did not desire to leave his country for any preferment in the world, and made other talk of a like nature, which was ill-received by the lords.

He stood at the end of the table in the Council Chamber whilst the Lord Chancellor went away to consult His Majesty. The lords whispered among

themselves, and the clerks of the Council busied themselves with their writing. No one heeded the lonely man whose fate hung in the balance.

When His Majesty heard of the fellow's obstinacy he was furious. He cried out to his Chancellor that it was pitiable that it should be published abroad that he could not obtain so much of a gentleman, and one of his friends, as to accept an honourable employment from him.

"This it is to be a King," he said as he signed a warrant for Overbury's imprisonment, and handed it to Lord Ellesmere.

The Chancellor returned to the Council and, bowing to the Lords, proceeded in a few words to announce that it was His Majesty's pleasure that Sir Thomas Overbury should be carried from the Council Chamber to the Tower and there kept a close prisoner until further order.

Sir Thomas made a step forward as if to speak. The clerk of the Council rose and read the words of the warrant.

Two of the guard were, by now, standing on either side of their prisoner. The clerk led the way. There seemed no further use or opportunity for speech. Sir Thomas Overbury bowed to the Council and went out.

The lieutenant's barge had been summoned from the Tower and was waiting at Whitehall stairs for its unhappy burden. Frances Howard was standing on the balcony of one of the towers of Northampton House looking towards Whitehall. Sitting by her was an older lady, intent on an elaborate embroidery. Frances caught her companion by the arm.

"Sweet Anne," she cried, "is not that the Tower barge coming from the King's private stair?"

Mrs. Turner put down her work and stepped to the girl's side.

"Yes, child. Then it is over. He is on his last journey, and we shall have peace."

"The villain," murmured the girl to herself. "The villain!"

The barge with its six rowers in uniform glided slowly along by the wall of their garden. In it they could discern the Council clerk and the guards and a man with his face buried in his hands.

The women knew well who it was and smiled content. The victory was theirs.

Strange that the poor creature in the boat should hide his face in his hands. For the sun shone on the blue waters of the river, the birds sang in the spring air, the gentle wind seemed to rouse the buds of the trees out of their heavy sleep. There had been a shower, and the warm April sun was preaching to the world a resurrection of life and hope and happiness after the long discontent of winter. But the miserable wretch in the boat had not the courage to seize his last chance of these things and face the golden irony of them, but sat there in despair, with his hands over his eyes and the tears trickling down his wrists.

Chapter XV: *The Nullity Commission*

NO sooner was Overbury safe in the Tower than the only obstacle to the appointment of the nullity Commission was removed and the Earl of Northampton proceeded in the matter without delay.

There was great public interest shown in the news that His Majesty had been pleased to appoint a Commission touching a divorce between the Lady Frances Howard and Robert, Earl of Essex. It does not seem to have been known to many outside the Court that the object of the divorce was that the girl might marry the King's favourite. Their visits and meetings did not take place on the housetops and were not known to many. The letter writers of the time scarcely refer to the gossip which fills the pages of the memoir writers of after date. But that is how history is written. When fifty years have passed and an old man is garruling of his early days he cannot be expected to remember the context of the times at which he learned divers facts.

Much has been written about the Commission, not very savoury or accurate, which goes to show that it caused grave scandal throughout the country. No doubt any interference with those whom God is said to have joined causes disturbance in the minds of religious people, and in our own day we have seen vigorous opposition to the reformation of divorce laws in favour of the poor, by men and women who tolerate absurd legal fictions to enable the wealthy to have divorce by consent. But if any two unfortunate creatures should have been relieved from a matrimony of the devil's making, these young folk, Frances Howard and Robert Devereux, deserved that even the clerical Pharisees should stretch a point in their favour.

In due course of law counsel had to be heard, grave divines and doctors to discourse, and His Majesty was not to be baulked of delivering judgments and worldly, legal, and theological opinions on remote and unpleasant affairs. But the real business of the matter had been settled by consent, as is done in our own world daily; and it were better such things were openly admitted and legally permitted. The friends of the parties had a private meeting, the details of the divorce were arranged by consent, and the lawyers were put up on either side to make a mock battle before a mock tribunal.

The Earls of Northampton and Suffolk on the Countess of Essex's side, and the Earl of Southampton and Lord Knollys, a brother-in-law of Frances, on her husband's side, met and arranged the terms. Essex, whilst resolved not to make any declaration that would stand in the way of his remarriage, fully conceded that he was not qualified to be this particular lady's husband. She asserted that he had never lived with her as man and wife. The lawyers were then retained and given a free hand to do as they pleased so long as in some form or other the divorce or nullity was declared. It was indeed a pity that this sensible family pact could not have been registered and decreed without further fash or trouble. Poor Overbury might then have been released from the Tower and returned to his patron's service or taken up the embassage he had spurned.

But once you have to place matters in the hands of lawyers and divines you cannot expect peace or conciliation, and must not grudge the cost of an earnest struggle to define with accuracy what really is the law, in your case made and provided, and how far the law is consistent with divine command.

The Commission, appointed on May 16th, 1613, was a very worthy one. It included Archbishop Abbot, as president, Bishops King, Andrewes, and Neile, Sir Thomas Parry and Sir Julius Cæsar, with Sir Daniel Donne, Sir John Bennet, and Doctors James and Edwards.

The Earl of Northampton was very busy in the matter and kept Rochester fully aware of how things went. At an early date the lady's libel or petition is filed. It sets out her claim to the Commissioners to be that: "She requireth since this pretended matrimony is but a fact and not in right, it may be pronounced, declared, and adjudged as none and of none effect: and she may be quit and free from all knots and bonds of the same by your sentence and authority." The Scrivener brings the writing up to the Earl of Northampton's house, who duly approves of it, and orders his secretary to make a fair copy of it. This he carries in triumph to his niece's room, for she is still staying with him in the Strand. One can picture the triumphant hope of the girl as she reads the formal words of it, "quit and free from all knots and bonds."

"Does Rochester know of it as yet?" she inquires.

"He shall forthwith," said her uncle, sitting down at Frances's writing-table.

"Were there ever such pens and ink as you women keep for your purposes!" he said, grumbling and laughing at once. "I can well understand how it is you cannot spell words with tools of this make."

She found him a new quill, and he penned a note to Rochester:

"Sweet Lord,

"The Counsel on both sides is agreed, the libel is approved sufficient and good in law. I am glad to find ink and paper in this lady's chamber to acquaint you with this.

"Henry Northampton."

To which the girl, taking pen from her uncle, wrote underneath:

"I am witness to this bargain and have set to my hand.

"Francis Howard."

"Is that rightly spelled?" she asked, sealing the postscript with a kiss.

His eyes sparkled and he pinched the girl's ear tenderly. "Either you cannot spell your own name, child, or you have dotted the 'e.'"

"It must go as it is," she said, laughing. "Robin can spell no better himself."

But though the libel and the Earl of Essex's answer were duly drafted and filed so as to give the Commission as little trouble as might be in declaring what was wished, yet it was not possible in the nature of legal affairs that all could go as smoothly as the lovers would desire. However carefully you pack your tribunal there is generally some member who is prone to fuss and trouble. Good Archbishop Abbot proved a conscientious objector to all these proceedings, and protested against them, "for which," as an old writer tells us, "he ever after lived in disgrace, excluded from the Councell Table and dyed in the disgrace of the King on earth though in favour of the King of Kings."

And those who would desire to study the learned argument of the Archbishop, and the still more learned rejoinder of the King, will find them set out at length in the volumes of the *State Trials*. The main difference between these two learned and pious men was that Abbot could find no text of Scripture whereby a man may have a warrant to make a nullity of marriage; and the King declared that it savoured of impiety to require a text of Scripture containing sufficient matter to decide all controversies, and that such a searching of Scripture smacked of puritanism.

Then with great learning and wisdom and much discourse of witchcraft and other matters, James insists that a decree of nullity should be made. Abbot replies, the King rejoins, Abbot rebuts, and the King surrebuts. You may wade through hundreds of folios of forgotten law and divinity and you will find that James, though he enjoyed his pedant exercises, was gravely disturbed

in mind at an Archbishop with an obstinate conscience who continued to contend with a defender of the faith by divine appointment.

The last words written by His Majesty are, indeed, the gist of the whole matter, and the case was ultimately settled on the principle they contain:

"I will conclude, therefore," writes James, more in sorrow than in anger, "with inverting the argument, that if a judge should have a prejudice in respect of persons, it should become you rather to have a kind of faith implicit in my judgment as well in respect of some skill I have in divinity, as also that I hope no honest man doubts of the uprightness of my conscience, and the best thankfulness that you, that are so far my creature, can use towards me, is, to reverence and follow my judgment and not to contradict it except where you may demonstrate unto me that I am mistaken or wrong informed; and so farewell,

"JAMES R."

Now if Abbot could have read Le Sage's story of Gil Blas and the Archbishop of Granada he would have known the fate of those who do their duty and play the honest critic to the leading actors of the human drama, in which they are only cast to play small parts. Not that I think any personal fear of discomfort would have turned Abbot aside from right action. For the man was an honest, God-fearing man, and though he could not do the impossible and demonstrate to a king that he was mistaken, he could, at least, obey his conscience, with the certain fear before his eyes that his capricious master would put a mark against his name and wreak his spite on him at the nearest convenient time. For this was ever James's way with honest men whom he could not fashion to his appetite by threats, bribery, or such-like sibber sauces.

But meanwhile these delays were harassing to Northampton and Rochester, who cared nothing for the

King's delight in the controversy and wanted a decree. And they were torture to Frances, who remembered Overbury's boast that as long as he lived there should be no nullity pronounced. For although he was a prisoner in the Tower, yet he was not without some friends, and if he could intervene by letter in the controversy that was now raging and offer new facts to suit Abbot's arguments, the whole fabric which was building for her happiness might be ruined and destroyed.

The misery that the unhappy Frances must have undergone at this crisis of her life was sufficient to turn the brain of a better and wiser young woman than any lover ever thought her. The dreary arguments of the Commission continued from day to day. Abbot went to her father and mother and to Northampton, wagging his honest beard at them, and quoting Latin pedantry and texts of Scripture till all were weary of him.

Meanwhile the girl herself was cited to appear before a sworn jury of noble matrons and wise women, who reported to the Court that the marriage had never been consummated. All this gave rise to stories of impersonations and much cross-grained ribaldry, but Bishop Goodman's testimony on her behalf may be in charity remembered, for he sets down his belief in her behaviour and concludes: "Hereunto I will add the testimony of the Minister of Chiswick who was with the lady in her last sickness when she was past hope of life, and speaking with her of this business she did then protest upon her soul and salvation that the Earl of Essex was never her husband." As the Earl himself also declared to the same effect before the Commission, there seems no reason why these declarations, which are real evidence, should be displaced by the coarse hearsay of the enemies of her family, which arose after the fall of Rochester.

The summer of 1613 dragged its slow length along. Overbury languished in the Tower. Rochester was away in attendance on the King at Newmarket, Royston, and elsewhere. Northampton was at the helm of State.

Frances, poor girl, remained alone in the great house in the Strand, wondering when the Commission would finish its business and she could marry the man she loved.

It was in July of this year the rumour went round that the members of the Commission were equally divided and that the King meditated a new Commission. Rochester, too, was receiving threatening letters from the unhappy Overbury, which gave Northampton grave anxiety. Frances was distraught and sought again the advice of her dear sister, Mrs. Turner.

Chapter XVI: *Secrets of the Tower*

WHEN Overbury was brought to the Tower the Governor was Sir William Waad. He was a persecutor of Catholics, and for that alone was hated by Henry Howard. He had been a useful man to James in bringing his enemies to judgment, tricking his prisoners into signing blank papers, above the autographs of which he wrote forged confessions. At the moment he was in disgrace over his careless guardianship of Arabella Stuart, and was suspected of embezzling her jewels. So a new Governor of the Tower had to be found, and the gift of the office was in the hands of the Earl of Northampton.

He consulted his friend, Sir Thomas Monson, at that time master of the Armoury. Sir Thomas was a leader of fashion and popular among the younger generation at the Court who lived for masques and dances and music. He was a frequenter of Mrs. Turner's little parties at Paternoster Row. Moreover he was the King's falconer, such a falconer as, his master said, " no prince in Christendom ever had, for what flights other princes had he would excel them."

It was Monson who brought poor Gervase Helwys into the business. He was the son of a Lincolnshire gentleman, educated at St. John's College, Cambridge, at this time a man over fifty, tired of an idle life, and anxious for State employment. Through Monson the business is arranged. Sir Gervase Helwys is introduced to the Earl of Northampton, pays him £1,400 for the office, and becomes the new Governor of the Tower in place of Sir William Waad.

The first instructions that he received were to the effect

that the King's orders were to keep Sir Thomas Overbury close guarded. He was to be permitted to receive any letters or presents from the Earl of Northampton or Viscount Rochester, but from no others. Any letters written to anyone, except Rochester, were to be forwarded to the Earl of Northampton. In this way it was hoped that he would be wholly cut off from the world and could busy himself no further with the affairs of the nullity Commission.

That the royal commands should be successfully carried out Helwys was directed to dismiss Overbury's servant and replace him by a man named Richard Weston. This scoundrel had been an apothecary's man in the service of Forman and similar practitioners. He was now in Mrs. Turner's employment, and had carried letters from Frances to her lover. He was a man of about sixty, and very ready to do any villainy for which he was well paid. Mrs. Turner introduced him to Monson, who sent him to Helwys to be employed as Overbury's servant in the Tower.

Now all this was done by the Earl of Northampton's orders. To-day he was the King's chief minister and acted for him in State affairs. Had Salisbury or the Prince of Wales still lived, this tragedy of the Tower could scarce, perhaps, have continued. Yet when James hated, he hated obstinately, and as he kept Raleigh in the Tower to feed his vengeance, so he would have let this insolent fellow, Overbury, rot in prison to purge his contempt. But had one voice been there to plead mercy for him, his life might, one thinks, have been spared.

Sir Thomas Overbury was a sick man when he entered the Tower. Some say he was in a consumption. The close confinement preyed upon his health and spirits. When Gervase Helwys took command he was not allowed the freedom of the grounds, but kept in his room.

No friend makes any effort to visit him until his relations, hearing of his plight, come to London. Old Mrs.

Overbury and her daughters come up from Gloucestershire, escorted by Sir John Lidcote, a brother-in-law, but they are refused access to the prisoner. The poor woman writes to Rochester to beg his help, and he writes back from the country: "Your stay in town can nothing avail your son's delivery, therefore I would advise you to retire into the country, and doubt not before your coming home you shall hear he is a free man."

But Rochester is taking no steps towards his freedom, is replying to none of his friend's pitiable appeals, and now Overbury, in despair, is threatening him with revenge.

Later on his old father, the judge, comes up to Court and makes personal petitions to the King, stating his son's serious illness, and praying that at least he may have medical aid. Rochester seconds this request, and His Majesty is pleased to order that his own physician, Dr. Mayerne, shall visit him. The famous doctor goes to the Tower on more than one occasion to visit the patient, appoints his own brother-in-law and personal apothecary, Paul de la Bell, to prepare and administer his medicines, and the latter is in attendance to the end. One can imagine the hope with which the poor wretch looks forward to a visit from the jovial, fat doctor, to whom he must have been well known. What symptoms did the learned doctor discover? What diagnosis did he make? Was he clever enough to discern that other practitioners were tampering with his patient? Did he call at Northampton House on his way back to Whitehall and tell the Earl of Northampton what he thought about his patient? These things are lost in the mists of time.

But at least we know this, that the cheery doctor does not cure his patient. For some reason or other the invalid is growing worse. Northampton is endeavouring, through Gervase Helwys, to get some satisfactory pledge from the prisoner that he will interfere no further in

the matter of the nullity Commission. He is not as yet satisfied that the man is to be trusted, and reports progress to Rochester, who is away with the King.

"I cannot deliver," he says, "with what caution and discretion the Lieutenant hath undertaken Overbury. But for his conclusion, I do and ever will love him the better; which was this, that either Overbury shall recover, and do good offices betwixt my Lord of Suffolk and you, which if he do not you shall have reason to count him a knave; or else, that he shall not recover at all, which he thinks the most sure and happy change of all; for he finds sometimes from Overbury many flashes of a strong affection to some enemies of his."

Whether this was written by one who knew that Overbury's "sure and happy change" had been planned and plotted, it is hard to say.

Early in July Mayerne is very happy about his patient. True, he is suffering from fever and has attacks of sickness, but the good Paul de la Bell is making him baths to cool his body, and these seem to be doing him good. Gervase Helwys reports, too, that at times the prisoner is better affected towards the Countess, and more respective to my Lord of Rochester, but when he mentions the Earl of Northampton's name, "sad to say," he writes, "then in fury he let fly at you." All this the Earl details to Frances, who was anxiously awaiting quite different news from the Tower.

For from the first she had made up her mind that as long as Overbury was on the earth there could be no hope of peace for her. The man had declared war against her, threatened to cut out and carry his friend away from her side; he would, if he lived, block the nullity Commission, which was rolling very heavily along its path, and she would lose her freedom and her marriage with the man she loved.

These things she poured out to Mrs. Turner, and

begged her by witchcraft or some form of black magic to rid her of her enemy. It was a task after Mrs. Turner's heart. With so many great ones interested in the fellow's destruction it scarcely occurred to the little woman there was danger in it. If she had money she could find white arsenic, rosalgar, mercury sublimate, cantharides, red mercury, and a hundred other sibber sauces to send him on an embassage from which he would never return. If she had money she could hire Franklin, or some other low apothecary, to advise them on the right mixtures. Weston could be bribed to administer the poison, but for Sir Gervase Helwys, Frances herself must find means to bring him into the business, and doubtless the Earl of Northampton might be persuaded to order him to obey her commands.

The girl fell to her tempter's devilish prompting. Money she could have from the Earl for the asking, and when she told him she was sending wine and luxuries to Sir Thomas Overbury, at Rochester's wish, he merely raised his eyebrows and said he would tell Sir Gervase they were to be given to him if Rochester so desired. That at this time Rochester heard any word of these things is most improbable. Bur Mrs. Turner, supplied with money, sent for her friends, Franklin and Weston, and the business was put in hand.

The way of it was this. Franklin supplied the poison, and assuming that he was not cheated by the druggists of the underworld, and that he was not himself playing the cheat and liar to Mrs. Turner, his employer, then she obtained enough poison to kill every prisoner in the Tower. At her pretty little house in Paternoster Row she made sweet tarts and jellies, shapely and tasty, such as graced her buffet when she received her young friends to those pleasant evening dances which Sir Thomas Monson enjoyed so well. The wine, too, came from a good vintner. And when all was mixed and ready, good Master Weston carried them to the Tower in a coach.

But that they might be received and handed to the patient, Sir Gervase Helwys had to be approached. This was the part played by Frances, who used to send these dainties, and write as if they came from Rochester. Her uncle, Northampton, had explained to her that if "letters" were sent in the tarts, this was to be mentioned to Helwys. One of her missives to Helwys he was unwise enough to keep. Perhaps he thought it would clear him if trouble came in the future, but that was not the way that old Coke used it when it fell into his hands.

Thus it reads: "I was bid to bid you say that these tarts came not from me; and again I was bid to tell you that you must take heed of the tarts because there be *letters* in them, and therefore neither give your wife nor children of them, but of the wine you may, for there are no letters in it. Sir T. Monson will come from the Court this day and then we shall have other news."

By *letters* it was alleged that the Countess meant "poison," and it was sought afterwards to make out that the man who "bid" her write the letter was Rochester. But this was not so, nor would she admit this to be true, nor could it have been so, since he was not in London at the time, but away at the Court at Royston, or Windsor, or Theobalds. The man who "bid" her write, if anyone, was the Earl of Northampton. But the real captain and author of the poison plot was pretty Mrs. Turner.

And now here is a strange feature in this mystery of mysteries. Although hundreds of pounds are spent in horrible poisons, and the foul services of ruffians to administer them, and though the plotters suppose that it is administered, yet "the scab" lives on. To the dread and terror of Frances her victim seems to have a charmed life. He thrives on the tarts and jellies so carefully compounded by clever Mrs. Turner. Of what use is all this arsenic and rosalgar since it does not destroy,

and only seems to add vitriol to the foul, abusive letters that the man is now writing to Rochester ?

The good ladies did not, of course, know that Sir Gervase Helwys, though he doubted the wisdom of reporting the matter to headquarters, came to the conclusion that these dainties were not wholesome for his prisoner and threw most of them away. Perhaps, too, he took Dr. Mayerne's advice on the subject, and we can imagine that able physician shaking his head, with a very doubtful smile, about any such diet for his patient.

So Overbury lives on into the summer vacation. But for some reason or other his body becomes worn and weary and his spirit grows weaker as he finds that neither Rochester, Mayerne, nor Helwys will make any move to help him into free air. For it is now clear to the poor creature in these lonely, tedious, and sorrowful hours that he is to be left here to die. During all these months he has been unable to believe that Rochester, the little boy who had been his playmate on the Scots hill-sides, the companion of his youth, the man in whose service he had toiled and whose greatness he had upheld, could really mean to desert him and leave him to die in the Tower. No longer will he cry for help and appeal for mercy. He will state his case for justice, as man to man. Robert Carr shall know with whom he has to deal. Even in the four walls of the Tower a man with literary gift and pen and ink can, at least, write out his statement of claim and set out a plea for justice.

But when he has written many sheets this poor, weak, sick creature cannot make up his mind whether to call on his friend in sorrow or threaten him with vengeance. His pen falters. " Is this," he concludes, " the fruit of my care and love to you ? Be these the fruits of common secrets, common dangers ? As a man you cannot suffer me to lie in this misery. All I entreat you is that you will free me from this place and that we may part friends.

Drive me not to extremities lest I should say something that you and I both repent. And I pray God that you may not repent the omission of this my counsel in this place whence I now write this letter."

Did the ghosts of the Tower give Overbury the gift of second sight when he wrote this ?

Chapter XVII: *Death of Overbury*

THE hot August days drag on. The Court has gone into the country. The Commissioners have adjourned their Court for further consideration. Frances frets at Hounslow or runs up to Northampton House for news of her lover. He is attending the King, but rides across country when occasion offers to cheer his beloved and put her in good heart. Mrs. Turner makes tarts and cakes for the prisoner in the Tower, plots and plans with her satellites and draws money of the old Earl for services rendered. He busies himself with State papers, grave concerns of high import, but keeps in touch with the affairs of the favourite, whose friendship is so necessary to his ambitions. Meanwhile Overbury rots in solitary confinement in his cell, growing weaker in health and more impatient and angered in mind day by day.

After much petition and entreaty Sir John Lidcote, his brother-in-law, is allowed to see him. This may be some time in August. He finds the poor wretch "very sick in his bed, his hand dry, his speech hollow." The hand of death is already upon him, and he desires Lidcote to make his will.

It was common talk in Paul's that the poor man was dying, and the Rev. Thomas Lorkin, in a news-letter to a friend, says that: "Sir Thomas Overbury is like to run a short course, being sick unto death. The lieutenant of the Tower and the physician that were there about him have subscribed their hands that they hold him a man past all recovery." Mayerne has gone to Bath now, and it seems that Dr. Craig, another of the King's physicians, and his son have also visited the sick man at Rochester's own suggestion.

When Lidcote came to see him Gervase Helwys was present at the interview. The time was up and the lieutenant, motioning Lidcote to come with him, moved to the door. The sick man plucked Lidcote by his gown and whispered: "Brother, think you Rochester juggles with me or not?"

"On my life I think not," said Lidcote, wishing to comfort him, and upon Helwys calling out to them to cease whispering, the sick man sank on his pillow with a smile of content.

But Lidcote says that he afterwards saw the Viscount and perceived that he dealt not plainly with them, for though he counterfeited a sigh, as he turned aside speaking of his sick friend, Sir John saw in the mirror on the wall that a smile of content was upon his face also.

And later we know that Lidcote wrote warning his poor brother-in-law of the trickery and plotting by which he is surrounded. "Study by all means," he says, "your getting out speedily, for, by God, never any man was so cautioned as you are; but yet I would advise you not to see it, nor take notice of it, but to change your style if you write to my Lord of Rochester and caution him another while, for there is no honest quarter to be held with him. As you love me burn this, and forbear writing all you can, for it was never so dangerous."

But the letter was never burned, nor was it ever read by the miserable prisoner, for Helwys took it, and thus it became part of Coke's mighty dossier in that Great Oyer of Poisoning which he conducted with such ill-starred energy.

It is now September, and the dying man rouses himself to make a last appeal to his friend Rochester in a long letter, perhaps the last he ever wrote:

"This paper," he writes, "comes under seals and therefore shall be bold to speak to you as I used to do myself." Insolent and selfish as the man had been in the days of his vanity, one cannot but admire the bravery of his last words.

"I understand," he continues, "that you told my brother that my unreverent style should make an alienation betwixt you and me hereafter, at least such a one as we should never be as we had been. With what face could you tell him that you would be less to me to whom you owe more than to any soul living, both for your fortune, understanding, and reputation? . . .

"Alas! this shift will not serve to cover your vow, your sacrificing me to your woman, your holding a firm friendship with those that brought me hither and keep me here, and not make it your first act of any good terms with them to set me free and restore me to yourself again. And you bid my brother keep your intent secret that you might steal away with your wickedness. But that shall not be; you and I will come to a public trial before all the friends I have. They shall know what words have past betwixt us heretofore of another nature than these; and I pray you keep you my letters that they may see how much I forgot your Lordship in my style."

There is a touch of satire in those last words, phrasing the scorn of the man of letters writing to the dunce to whom he had played the part of literary lackey, and now despises himself for the perfidy of it. There stands yet in the untrimmed phrases of this fierce, out-spoken indictment of his former friend the literary quality of the author of "A Wife" and the "Characters" at its last and its best. Even in the useless dying fury of his anger against his betrayer, with the cold hand of death on his pulse, whilst the man husbands his failing powers to pour out his fury against his Judas friend, never does the writer lose his cunning, nor does instinct desert him in finding the just word to describe his wrath and despair and the depth of his contempt.

Like a cunning artist he pictures for all time the golden fool Rochester starting on a visit to Northampton House in his satin cape-cloak and long stockings. "When I heard," he writes, "how notwithstanding my misery

you visited your woman, frizzled your head never more curiously, took care for hangings, and daily were solicitous about your cloaths, held day traffic of letters with my enemies, without turning it to my good, sent me nineteen projects and promises for my liberty, then at the beginning of next week sent me some frivolous account of the miscarriage of them, and so slip out of town; and all this ill-nature showed by the man, whose conscience tells him that trusting to him brought me hither, and by him that conveyed all my service to Julius [this was their cipher title for James] and made himself valued by his master for it, and my share to be a prison upon such terms that never man suffered yet."

Robert Carr, Viscount Rochester and Earl of Somerset, was tried by his peers for a crime against his friend and maybe was wrongly convicted. But the real indictment, and the one that must be tried out on the great Day of Judgment, is that which Overbury has drafted in the last words that fell from his pen. He continues to remind his patron of their "nine-year love," the "secrets of all kinds that have passed," and then tells him how he had in his extreme sickness, "since the bitterness of my soul cannot conceal itself," and that "this wickedness may never die, wrote the story betwixt you and me from the first hour to this day." The whole vacation he has spent in this task, and has set out in detail "how you fell in love with that woman and won her by my letters," and how Rochester long ago intended marriage with her if it could be brought about. "All these particulars I have set down in a large discourse, and on Tuesday I made an end of writing it fair, and on Friday I have sealed it up under eight seals and sent it by a friend of mine whom I dare trust (taking his oath not to open it). I send to him and then to all my friends, noble and gentlemen and women, and then to read it to them and take copies of it and I vowed to have wrote the Truth. This, I think, you will not deny a word. So thus if you will deal thus wickedly with me I have

provided that whether I die or live, your nature shall never die, nor leave to be the most odious man alive."

This was the dying message of Damon to Pythias. We can picture Rochester, who, after all, was not without courage, hardening his heart at the threats and blackmail of it. But did he hand it to the Earl of Northampton? Did Frances read the allusions to "that woman"? Was Mrs. Turner consulted on the infamy of it and asked to procure speedy vengeance? These things we shall never learn. The packet with its eight seals may never have left the Tower. It may perhaps be still lying in some chest of old papers. But most probably no eye other than Overbury's ever saw this strange autobiography of a friendship, or if anyone read a few words of it the manuscript was quickly destroyed as being too frank and dangerous for a wise citizen to keep in his possession in those days of tyranny and suspicion.

If, as Overbury says, he wrote this strange story of his when he had been five months a prisoner, then it was indeed his swan song and the seals upon it were the seals of his last testament. For on the Wednesday, September 15th, at five o'clock in the morning, cut off in the prime of life either by foul poison or dread disease, Thomas Overbury died in his lodging in the Tower without a soul to comfort him. If the sealed packet was lying in his room we may take it that Gervase Helwys seized it, and it was seen no more.

This indeed we know, that as soon as Helwys was informed of his prisoner's death he sent for Paul de la Bell, Mayerne's apothecary, who was the first person to examine the poor dead body, and he reports that it was full of blisters and so consumed away as he never saw the like. Paul declared from first to last that the poor wretch died of consumption.

Helwys, who at the time inclined to the belief that he died of another consuming disease, at once communicated with the Earl of Northampton. There is, as far as we know, no report of the matter made direct to

the King, though he must have been told his prisoner had at last escaped from his clutches, but he seems to have made no inquiry into the cause of it nor expressed any interest in the matter, which was much commented on thereafter.

The Earl of Northampton, however, is busy with the affair at once, and writes to Helwys that: "My Lord of Rochester desiring to do the last honour to his deceased friend requires me to desire you to deliver the body of Sir Thomas Overbury to any friend of his that may desire it." We may doubt the truth of this statement, since Rochester was probably then at Theobalds in Hertfordshire, and could scarce have heard of his friend's death. He adds: "I fear no impediment to this honourable desire of my lord's, but the unsweetness of the body because it was reported that he had some issues and in that case the keeping him above must needs give more offence than it can do honour. My fear is also that his body is already buried upon that cause whereof I write, which being so it is too late to set out solemnity.

"Thus with my kindest commendations I end, and rest

"Your affectionate and assured friend,

"H. Northampton."

To this he added a postscript, doubting whether this suggestion of honourable burial is according to precedent in the case of close prisoners, and warning Helwys not to exceed his powers, even though he and Rochester are eager to do a "work of charity" towards the corpse.

But that this letter was, as the moderns would say, mere eye-wash, and intended to be kept for production by Helwys should any occasion arise, is clear from the fact that the Earl wrote another letter of even date, probably sent in the same enclosure, for Helwys's own personal reading, which more nearly expresses his real mind. In this he writes as follows:

"Worthy Mr. Lieutenant,

"Let me intreat you to call Lidcote and three or four of his friends, if so many come, to view the body, and so soon as it is viewed, without staying the coming of a messenger from the Court, in any case see it interred in the Body of the Chapel within the Tower instantly.

"If they have viewed, then bury it by and by, for it is time, considering the rumours of that damned crew, that only desire means to move pity and raise scandals. Let no man's instance move you to make stay in any case and bring me these letters when I next see you.

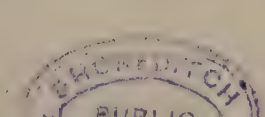
"Fail not a jot herein as you love your friends, nor after Lidcote and his friends have viewed, stay one minute, but let the Priest be ready, and if Lidcote be not there send for him speedily, pretending that the body will not tarry.

"Yours ever."

"In post haste at 12."

Helwys did all that was asked of him. A coroner was sent for and some sort of jury gathered together and inquisition taken, but the record of their verdict is not extant. Mr. Bright, the Coroner of Middlesex, who was sent for, was not the right official, it appears, and was afraid of his brother proceeding against him for grabbing his fees, so did not report the matter. But his evidence was taken later on, and he describes the poor corpse as being worn to skin and bone, an ulcer and blisters found on it. No one had ever spoken to him on the matter or sought to influence his mind about the cause of death, which he thought at the time was natural. But what a coroner thinks to be the result of his quest has never had much weight with his fellow-men.

Sir John Lidcote came and saw the body of his brother-in-law, but would not bestow a coffin nor a winding sheet upon him, and Helwys, on the back of the Earl's letter, notes that: "The coffin I bestowed; but who did wind him I know not." About three or four o'clock in



the afternoon—some think the afternoon of the day he died, but more probably the day after—he was hurtled into his grave in the Chapel.

The Earl of Northampton writes to "My Sweet Lord," the Viscount Rochester, who is attendant on the King, a short account of his death, adding his pious reflections: "God is gracious in cutting off ill instruments from the factious crew. If he had come forth they would have made use of him. Thus, Sweet Lord, wishing you all increase of happiness and honour, I end,

"Your lordship's more than any man,

"HENRY NORTHAMPTON."

The death of this wretched man created scant interest outside his own world, and even within the magic circle of the courtiers little was said about it, since stray words were soon magnified, and to utter scandal of the Howards and their friends was dangerous.

Still Dryasdust and his like are at sea in supposing there was not at the time a whispering of foul play. Few sudden deaths in those days were accounted for by natural disease. Most people supposed Prince Henry was poisoned, and those who gave poor Overbury a thought had a shrewd suspicion that he was murdered. As John Chamberlain, who heard all the gossip of the day, reported to Sir Dudley Carleton, there is an aspersion that he died of a terrible disease "or something worse."

But he notes truly enough that "he was a very unfortunate man, for nobody almost pities him and his own friends speak that indifferently of him." The fact was he had made himself so many enemies by his insolence, conceit, and selfish ambition that, unless it were his unhappy parents, there was hardly anyone to mourn his going.

The tragedy of Overbury seems to be that "nobody almost pities him." Yet it is not a strange fate. The pages of history are full of wise youths who mount and shine, evaporate and fall. And we who read their fate

never learn the lessons of their lives but grumble at our own lowliness and envy their success. Selfish ambition gains great prizes and meets with strange reverses, but it gathers no love, and when the end comes those that remain murmur, with a shrug of final remembrance :

> " We stand here now, he lies in his place,
> Cover the face ! "

Chapter XVIII: *Judgment of Nullity*

THE real thorn in the flesh, the messenger of Satan sent to buffet kingcraft and statesmanship, is the instinct of justice. How unaccountably does the spirit of justice manifest itself in strange places. With what intolerable pretension does it utter truths even in the gilded corridors of palaces and in the presence of kings. George Abbot, Archbishop of Canterbury, good honest man, whenever he sat in his closet pondering the affairs of the nullity Commission, cast himself for the part of the prophet Nathan; but at the back of his mind he was fearful if King James would accept a divine message in the spirit of humility shown by King David. Moreover, he was not clear that the parable of the ewe lamb was really in point.

When the summer term came to an end Abbot had so far salved his conscience that he had brought the Commission over which he had presided to a deadlock, the members being equally divided for and against a judgment of nullity. His Majesty was exceedingly angry at this result, and, moved by Northampton and Rochester, had added two stalwart placemen to the Commission, Thomas Bilson, Bishop of Winchester, and John Buckeridge, Bishop of Rochester. When Abbot heard this, and learned that Bilson was lodging at St. Mary Overies' house, and was duly visited there by the lady's friends, Sir Julius Cæsar and Sir Daniel Donne, he was in great perplexity.

Then on Saturday, September 18th, the day on which the new Commission was to meet, the stout Archbishop heard the news of the death of Overbury, which had already found its way to the lawyers in St. Paul's, and

so out into the City and the world beyond. His chaplain would have told him some dreadful apprehensions bruited about poor Overbury's death, but the Archbishop shuddered, and would hear naught, and motioned him to his knees, and the two knelt at the table in silent prayer for the soul that had passed away.

Early that morning John King, Bishop of London, came to Lambeth to visit the Archbishop, and the two sat in the library discussing the affairs of the Commission. King was an honest man, and had stood by Abbot up to now, and came to his leader to be assured that he would stand fast for truth and justice to the end.

"We can but deliver our reasons for the faith that is in us and hold up our hands for a righteous judgment," said the Archbishop.

"Maybe when our brothers hear the evidence and listen to your reasons they too will be convinced," said the Bishop of London.

My Lord of Canterbury was not to be flattered, and shook his head with a wan smile.

"Our brethren have not accepted their seats on the Commission to listen, but to vote."

The Bishop of London rose to go, waving his arm as if to sweep his brothers, Bilson and Buckeridge, from his thoughts.

"If I were to pronounce for the dissolution of the marriage," he said, with solemn emphasis, "I should expect the Devil would that very night fetch away my soul."

He crossed to the chair where my lord sat, and placed his hand reverently upon his shoulder.

"My lord, the eyes of the whole Church of England are upon you and all expect of you that you will show yourself a worthy man."

"With God's help I will do it."

"Amen to that, my lord."

Both these good men knew that what they were about to do was an offence to the King, and that to offend the

King was the overture to ruin. Only the greater fear of the Devil himself kept their timid feet in the straight path.

The first meeting of the Commissioners was short and formal. The new members appeared, and were formally greeted by the Archbishop. My Lord of London then moved that the evidence of the Earl of Essex should be reheard in order that my Lords of Winchester and Rochester should properly understand the cause. Sir Julius Cæsar, on behalf of my lady, strongly dissented from this course. It was sufficient, he thought, that they should read the evidence. But no decision was arrived at, and the Court adjourned to the Monday.

Abbot rode down to his country seat at Addington, and on the Sunday spared an hour from his devotions to confer with a dear friend and settle with him certain domestic affairs in case that his honesty and the course he had determined upon should land him suddenly in the Tower.

The Earl of Northampton had instructed his niece's counsel that on no account should the Earl of Essex be recalled lest he should go back on his testimony and mar the whole business. He had counselled the King to this effect, and when the Commission met on Monday the Bishop of Lichfield brought word that His Majesty was strongly opposed to the recall of Lord Essex, and would by no means endure it, and that he desired a speedy end of the whole business.

When it appeared that the Earl of Essex was not at the moment an available witness, even Abbot began to think that it was time the Commission ended their labours and gave a judgment. For now it was known that young Henry Howard, Frances's brother, had scattered abroad vile and contemptuous words about her husband which came to his ears, and he demanded satisfaction. This the young man willingly tendered, hoping the result might bring his sister freedom.

Now to fight a duel in the precincts of the Court or

in England was nigh impossible. James, to the joy of Abbot and other men of God, had set a ban upon the barbarous practice of duelling, so great was his fear and hatred of the use of lethal weapons. The Earl, therefore, had ridden to Milford Haven with Captain Ouseley, and young Howard had sailed from Harwich with Mr. Ball and Huntingdon Colby, and now the Earl, at Calais, and Mr. Howard in Zealand, were negotiating a meeting. James, in anger and despair, had sent out young Gib of the bed-chamber to forbid the duel in the King's name. Posts were sent to the Governor of Calais to stop the affair by any means possible. Meanwhile the blame of the business was thrown on the shoulders of Abbot and those who delayed the judgment of the Commission, and Sir Thomas Lake was sent to Lambeth with the King's orders that the Court should give their judgment on Saturday at the latest.

For on the Monday His Majesty was due to ride to Windsor to see the Queen. Here again Abbot could read the King's mind. Her Majesty was, he knew, strongly opposed to this nullity business, and the royal coward, her lord and master, obviously wanted to announce to her that judgment was given, the affair was settled and done with, and there was no purpose in discussing it further.

All that week the Commissioners sat daily, the Bishop of Winchester making a brave show in interrupting Dr. Bennet, the Earl of Essex's counsel, catching at his words before they were out, and meeting his arguments with such scoffs and imperious behaviour that it was already City gossip that Bilson was in the pocket of the Howards' party and the King intended the nullity to go through.

Poor Abbot was in sore distress, and on the Friday he made up his mind to see the King, and went in his barge to Whitehall to attend the levee. For a time he stood among the crowd. Friends of Essex came to him and whispered of the foul, strange business in which he was engaged. He spoke to no man. At length the

King drew him aside. In his heart of hearts James honoured the man. They walked together to the end of the gallery and sat in the window, apart, out of hearing of the rest.

"Now tell me, my lord," said James, not unkindly, "why canna ye mak' an end of the affair?"

Abbot was ready to pour his troubles out at the feet of his royal master.

"It is nothing to me," he said, with patient scorn, "whether this woman remain wife to the Earl of Essex or is married to another man, but I cannot give sentence where I see no proof. I have lived fifty-one years almost, and had my conscience uncorrupted in judgment. I know not how soon I may be called before God, and I am loath against that time to give a wound to mine own soul. My grief is," and the good man's voice trembled with tears—"my grief is that your Majesty's hand is in it. I care not for other men. I choose rather to die an honest man than a wise one, and if I did this thing your Majesty could never afterward expect true service of me, for how could I be true to my master who was false to God?"

The King was silent for a time. He was touched by the man's intense honesty. But, looking up to the gallery, he saw the Lord Privy Seal, the Earl of Northampton, and the Lord Chamberlain, the Earl of Suffolk, talking to Rochester. He remembered his promises.

"You try to set yourself above the lawyers in their own mystery," he said, not unkindly.

"There is not an honest lawyer that is not on my side," replied the Archbishop, with enthusiasm.

"There is not an honest lawyer that would not be on either side for a brief and enough guineas," said the King, laughing, and then in a more serious tone he began to urge reasons and debate the matter with him.

But Abbot, obstinate as he was, had tact enough not to argue the matter further, saying: "When I come to the place of judgment I will not conceal the reasons of

my sentence, but it is to no purpose to speak them now and put your Majesty to a trouble to hear them twice, and indeed my heart is too sad to speak them, and all I ask your gracious Majesty is, that I have your leave to do my conscience's."

At this His Majesty, seeing the tears fill the Archbishop's eyes, was moved by his sad estate and gave him leave to depart.

But even as he left the presence, Abbot saw the King walk across to where Northampton and Rochester stood to tell them what had passed. They were both insistent that James should refuse leave to the Commissioners to give reasons for their judgments, as those might differ from the views expressed by His Majesty and give opportunity for the disaffected to speak evil of dignities.

To all this the King listened with sympathy, and his crafty mind was already planning a method of stopping Abbot's mouth, but this he would not do by direct order to the Archbishop, but by some more foxy and ingenious method dear to his crooked mind, and to engineer this he sent a messenger to command the attendance of the facile Bilson.

That night Archbishop Abbot rode down to Addington, taking with him a rubbishy treatise on marriage law that the King had sent him, written, as my lord noted in his journal, by "some hungry fellow who had not twenty shillings to buy food for his belly." Saturday morning saw him back at Lambeth as early as nine o'clock, and here he had interviews with the Bishop of London and Sir John Bennet and others of the Commission who were of his way of thinking, and it was agreed in what order they were to speak and what points were to be taken by each, and the Archbishop was in great feather, and predicted that when he wound up the debate the victory would stand with them in the eye of the world. "For," said he, "I doubt not, in Almighty God, to batter their nullity to dust."

Abbot sat in his study putting the finishing touches

to his oration when Sir Julius Cæsar arrived, saying that my Lord of Winchester had not yet come though it was ten o'clock. The Archbishop decided they must continue to wait for my lord. And now Sir Thomas Lake arrived with a message from the King, which he was not authorised to deliver until all the Commissioners had met, and, having told this to the Archbishop, he withdrew and sat in the gallery.

Between ten and eleven my Lord of Winchester came direct from Whitehall, and made excuses for delay that the tide was running strongly against his rowers. The Archbishop told him they had waited two hours and a half, for in those days Courts sat early, and sought to finish their day's work by dinner-time.

Then they all went in procession toward the banqueting-hall, which was used for a Court, and meeting Sir Thomas Lake in the gallery, he told them the King's message, which was in two parts. First, "that they should take heed of galling any person," which the Archbishop readily agreed to; and, secondly, that they "should not in any long manner or compendiously deliver what they had to say."

Here was a shrewd blow at Abbot's oration.

"Does His Majesty order that we only say 'Yea' or 'Nay'? For I will obey the King's commandment," asked Abbot, with quiet dignity. But Sir Thomas would not add a jot or tittle to the King's orders.

Then arose a discussion among them, Sir Julius Cæsar saying he knew the King's mind, and he desired "Yea" and "Nay." Moreover, he understood this had been promised to His Majesty by the Archbishop himself.

This Abbot denied, and stood firm for reasons. But all the bishops were now against him. It was enough, they thought, to vote against the royal wishes without proving by words that what the King desired was illegal and corrupt.

Abbot saw that he was beaten, and that the Howards had outwitted him, and when the bishops all deserted

him the good man surrendered with dignity, but he walked out with colours flying and bullet in mouth, for he said: "I will not be wilful, but if it be agreed upon and if it be the King's pleasure I will obey. But look you to it; for if any man give a reason I am no more bound than he, but that I will return the reason of my opinion and judgment."

All agreed to observe this pact; Sir Thomas Lake withdrew, and the procession moved from the gallery into the hall.

The votes were taken, and the Bishops of Winchester, Ely, Lichfield, and Rochester, with Sir Julius Cæsar, Sir Thomas Parry, and Sir Daniel Donne, held up their hands for nullity, whilst the Archbishop of Canterbury and the Bishop of London, Sir John Bennet, Dr. James, and Dr. Edwards were against. Thus by a majority of the two bishops recently added by James to this strange Court of Justice, men who had never even heard the evidence of the parties themselves, this marriage was dissolved, and the Countess of Essex became once again Frances Howard.

The rejoicings in the camp of the Howards were loud, and His Majesty was so pleased with the Commissioners who had voted for the nullity that a regular honours list was published. Sir Julius Cæsar's son was knighted; the Bishop of Lichfield was promoted to Lincoln; but the honour that most delighted the common people was the knighthood given to the son of the Bishop of Winchester, who was nicknamed by some wags in the Temple, Sir Nullity Bilson, a name that stuck to him all his life long, so true it is that the sins of the fathers are visited on the children.

And now with the news of the judgment in their favour, Frances and Robin, these children of the sun, can forget the long darkness of the past and see only glorious visions of a golden future. There is joy in Northampton House when a swift rower from Lambeth brings the glad tidings of the verdict. Close on his

heels comes young Rochester, headlong from Whitehall, hoping to be the first with the splendid news.

At last the girl can honestly throw herself into the arms of her beloved. All obstacles to happiness are swept into oblivion. For Overbury lies in his grave, forgotten, and the ghost of him makes no move as yet. The hateful Essex has no longer claim to the girl's subjection. She is free to give herself to a new and happier bondage. The husband of her choice awaits her impatiently. All is roses, kisses, and laughter. We can for the moment overlook the crime and chicanery by which it has been brought about in the charm of the picture. For here is the radiant Frances in the heyday of her youth and beauty and the young sun-god triumphantly kneeling at her feet waiting to command the ringing of marriage bells.

Chapter XIX: *A Glorious Wedding*

IT would be wrong to suggest that Frances Howard was tortured in mind, at this or any other moment, with real remorse for the part she had played in the attempts on Overbury's life. She had undergone much the same agony as a drowning man on a narrow plank, who, to save his own life, pushes his fellow-man back into the trough of the sea that he may not himself be destroyed. She had thrust Overbury out of her life as a noisome and destructive enemy meddling with her one chance of freedom. She had saved her young life, and with the intense selfishness of youth was intent on the active enjoyment of her success.

In all similar criminal actions we do not read in the history of them that women display regret and remorse. On the contrary, they usually appear to be happy and satisfied with the business results of their enterprises, reaping the harvest of their sowing with calm content. Lady Macbeth was bright and jovial after the murder; it was her husband who saw ghosts. Not that many male criminals break down as rapidly as Macbeth. Selfishness precludes remorse. When David had arranged with Joab that Uriah the Hittite should be smitten and die, and it came to pass as he had planned, we do not read that his remorse hindered his enjoyment of Bathsheba. His gesture of repentance came when he was found out.

All were delighted that the Commission had at last ended its labours. The King was glad to be relieved of the worry of it and set himself to plan revels to pleasure his beloved Carr. Northampton and the Suffolks busied themselves with the arrangements of the betrothal of Frances to her lover. The world at large, naturally

pitying the girl for the misery she had undergone, was full of sympathy with the marriage, which at least brought together two young persons of great beauty and completed the triumphs of a youth who, with all his faults, was not unpopular. For Rochester had managed to collect vast sums of money without unnecessary rapacity and with more courtesy and outward forms of honesty than the public were used to from some of his predecessors.

Essex retired into the country to cut down his timber and pay off the £5,000 dowry he had received from the Suffolk family on his marriage, and devote his days to field sports and the management of his estate until his countrymen should require his services for the grave affairs of State.

Never was Robert Carr in higher favour with the King than at the present. Not only did His Majesty undertake the expense and management of the marriage, which was to be the most glorious and extravagant pageant that this profligate Court had as yet put forward, but that the lady might lose no rank in her new alliance, Robert Carr, the friendless lad of a few years back, was, on November 3rd, 1613, created Earl of Somerset.

The Court, and indeed London and Society throughout England, talked of nothing but the preparations for the wedding. St. Stephen's Day—the day after Christmas Day—was fixed for the ceremony. And now masquing, feasting, dressmaking, and wedding gifts were in most men's thoughts, and all women's.

Sir Francis Bacon comes into the picture of the drama at this period. His debts of gratitude for favours received from the Earl of Somerset and the house of Howard are common knowledge. It is whispered in the Temple that he intends to make a great display on this gallant occasion, and is preparing a masque for the King and the Queen, and the happy pair, which is to cost no less than £2,000. This was to be given at Lincoln's Inn, and though Mr. Solicitor Sir Henry

Yelverton desired to stand in at £500, and the house itself wished to subscribe and share in this ostentation of loyalty, the wily, selfish Bacon would have none of it. The charge and the honour and the glory of the feast must be his and his alone. Somerset had assisted him to his place as Attorney-General, and he had an eye on further advancement which Somerset's favour might command for him. He had made a princely fortune out of advocacy, and carried a great port in his train, living at a high charge, both in apparel, equipage, and hospitality. He had grand ambitions, and already boasted that as King's Attorney-General he would take no fees nor intermeddle in mercenary causes, but wholly apply himself to the King's affairs. It is only in very recent years that this high ideal of the office has been made compulsory. When he planned his magnificent entertainment for Somerset and his Countess, no one could have foreseen the part he was to play in the last act of the drama of their lives.

Sir Ralph Winwood was another character that comes upon the scene at this moment. He, too, was cast for the part of a dangerous enemy of the favourite, but at the moment we find him buzzing around the Earl of Somerset, begging his patronage for the vacant place of Secretary. You may picture him a learned, serious figure haunting the Court in a handsome suit of costly black, talking gravely of his wide experience at foreign Courts, full of secret information and grave affairs as becomes the bureaucrat.

He, too, is a worshipper at the shrine of the beautiful Countess. So that when she mentions to him that she has no horses fit to drive her to the great entertainment which the City of London is providing for the happy pair, and asks Sir Ralph for the loan of his famous four black steeds that he has brought from Flanders, the statesman, like a bold gambler, makes a throw for victory. The horses are the handsomest in the Court, as all London testifies, and Sir Ralph sends them to Somerset's

stable with a message that it is not fit so great a lady should use anything borrowed in her triumphant entry into the City, and they must be accepted as a gift.

The accounts of the wedding and the wedding feasts read like pages from a fairy story. Although James himself is in want of money to pay the wages of his servants, he finds £10,000 for jewels for the bride, and more money for the ceremonies at Whitehall. The City, the Merchants Adventurers, and the East India Company send handsome gifts of plate. Sir Thomas Lake offers six candle-sticks worth a thousand marks. There was a set of fire-irons—shovel, tongs, irons, creepers, and all the furniture of a chimney, wrought in silver, which was much admired. Cups, basins, ewers of gold and silver rained upon the happy pair, and Sir Charles Wilmot hit on a seasonable Christmas present, which caused sly merriment among the ladies, when he presented the bride with a gold warming-pan. The Earl of Northampton presented plate to the value of £1,500, the Earl of Salisbury a suit of hangings of the same value, and at the end of a long list we note the Bishop of Bristol's lady sending by wagon a bride cake that has cost her no less than £5.

For all the higher clergy, save only the Bishop of London, take cognisance of the wedding. Even Abbot himself is present on that Sunday night at Whitehall, though he takes no part in the ceremony. Montagu, Bishop of Bath and Wells, performed the ceremony. Dr. Mountain, Dean of Westminster, preached the marriage sermon. It was to his custody that a few months later the bridegroom was entrusted before he was sent to the Tower. But at the moment the kindly priest is pouring, on the heads bowed beneath him, the fluent oil of admiration. Words fail him to express the noble attributes of the happy pair, the almost divine graciousness of the King, and the virtues of that worldly old lady, the Countess of Suffolk, the " Mother Vine," as the preacher happily phrased her. The bride's father

gave her away, she being led to the chapel by the Earl of Northampton and the Duke of Saxony, who was here on a visit and graciously volunteered to act as one of her bridemen.

These compliments were viewed by a large assemblage of all the greatest and best in the land who came, some out of homage to the powers of the land, but very many, we may be sure, to show goodwill to the poor girl who had gone through such sad trouble and was now emerging, radiant and happy, united to her handsome lover, and to-day to put on perfection and a woman's name.

She was now only one-and-twenty and a woman of rare beauty and vigour. I, for my part, do not believe, as Dryasdust asserts, that all these courtiers were mere hypocrites and that the stories of all her folly and wickedness were then well known. Nay, more, it seems very probable that many stories told of her in the days of her fall were evil inventions, without truth or foundation, set down by scandalmongers and slanderers. Be that as it may, I doubt if the poor girl had any enemy on that day, when, wearing her hair down, as all young brides were used to as symbol of their virginity, she approached the altar with that brave young lover who had waited so anxiously for this glorious happening.

And as she left the chapel on her husband's arm, never did the world before behold so brilliant a mirage of happiness attained.

> "Then from those wombs of stars, the bride's bright eyes,
> At every glance, a constellation flies,
> And sows the court with stars, and doth prevent
> In light and power, the all-eyed firmament.
> First her eyes kindle other ladies' eyes,
> Then from their beams their jewels' lustres rise,
> And from their jewels torches do take fire
> And all is warmth and light and good desire."

This is how we may see the scene through the eyes of good Dr. Donne and catch a dream picture of the central figure of the wedding pageant.

The curtain did not fall upon the scene when the pair left the chapel, but rose to new scenes of mirth and splendour. For first there was a luxurious banquet where tables groaned with flagons and dishes—

> " As though this feast
> Would as the flood destroy all bird and beast."

Nor did this end the bride's duties to her friends. For she must take part in the dances and revels that follow, and sit out the masque that Mr. Campion has written, and praise her friends' acting and singing and accept their homage. She must wait with weary happiness for the grand finale of the piece, when the scene changes suddenly to a realistic view of London, with the Thames in sight and four barges slide on and the skippers and mates sing a lullaby :

> " Now let your sea-borne Goddess come
> Quench these lights and make all dumb.
> Some sleep, others let her call
> And so good night to all, good night to all."

And now the bride has slipped away with her maids, for the pair that night were royal guests, sleeping in the Council Chamber, and all the ceremonies of bride cakes, points, garters, and gloves were duly celebrated, and at the last there was the casting off of the bride's left hose, with many other pretty sorceries.

The musicians have released their strings, the dancers have taken truce of their revels, the tired porters put out the waning lamps, the palace sleeps, and the lovers are left alone. Would that our story could end here and we might complete our building with the keystone of a happy marriage, after the fashion of the good old tales and plays which began with : " Once upon a time," and ended with lovers " living happily ever afterwards."

But, alas ! that is not the way in which real lives are shaped, and as many tragedies begin with a marriage

ceremony as comedies end with marriage bells. Fate from the earliest had decreed that this lovely girl was to be sacrificed to the pride and vain-glory of her family and the selfish needs of her King. Maybe she was a ready victim, as sinful herself as any, but as her sin was great so was her punishment. Wealth, riches, the love of her husband, the clemency of the King, could avail her little, and she had to drink the cup of shame she herself had prepared and know the bitter degradation of wearing before the world the yoke of her own wrong-doing.

Chapter XX: *Politics and Place-Hunting*

THE young couple started their married life under the happiest auspices. The Earl of Somerset was a greater figure in the world than ever before. So foolishly did James adore him and seek to pleasure him that when the favourite did not have his smallest request granted at the moment, he sulked, and threatened His Majesty with his displeasure until he had his own way. To the outer world it seemed as though the King had delivered himself into the hands of the great Earl of Northampton, his minister, and Somerset, his favourite, and that this condition of things was permanent.

So sure of his power was Somerset that he neglected his master's company, not unnaturally, for the more delightful society of his charming wife. He did not even stay with him at Theobalds, but bought a new house at Chesterford Park near by and rode over when he would. Then he had other houses at Kensington and Isleworth where he and his lady entertained lavishly and the King was received as a guest. The slavish adulation by which he had crept into the King's heart was a folly of the past, and he now sought to rule his master and lord it over him, rather than to serve him with a dog's humility, which was what James demanded.

As yet the King seemed cowed by the magnificent lordship of his former vassal. He was uneasy, he mourned his absence, he wrote abject letters to him, he upbraided him ; but when Somerset and his beautiful wife appeared at Court the golden youth was taken to his heart again and all was well. Still there were those about the King who watched these things with interest and plotted and

planned. Politics and places then, as now, were merely a matter of the survival of the super-selfish.

If Somerset had had insight or tact he would have known instinctively that the height upon which he stood in the world symbolised a precipice at his feet. He would have scanned the horizon for gathering clouds and seen the storm approaching.

The King had not yet appointed a new Secretary, and now, in the spring of 1614, it became necessary. A man was wanted to deal roundly with a hostile House of Commons indignant with extravagance at home and cowardly complaisance to Spain. History teaches that the English people must have a wicked foreign foe to hate, be it Spain, France, or Germany. James, being a cautious Scot and a coward and a man of peace, never entered into his people's bull-dog zest of spoiling for a fight. He and his Parliament regarded each other with mutual distrust and contempt, and the King was at least wise enough to know that in the choice of a Secretary it was good business to choose the best man.

The two men in the running for the place were that grave, astute ambassador, Sir Ralph Winwood, and that pleasant, courteous scholar and antiquary, Sir Thomas Lake. Somerset, forgetful of the gift to his wife of the noble four black horses, and prompted by the Earl of Northampton, who feared Winwood, threw his influence into the scale in favour of Lake. The King appointed Winwood. Somerset had made a powerful enemy. The Howard administration had received a check.

All this must be set down in order to understand Sir Ralph's part in what follows. Nor need we portray him as a man actuated by any spirit of mean revenge. He was a narrow, but honest, public servant; in a word, a good bureaucrat. Fifty years of age, he had served in many embassies. His first patron had been the Earl of Essex. He was Elizabethan in outlook, or, as we should say, Victorian. He was ready, within limits, to flatter and bribe where it was necessary, but he did not

do it willingly. He was a Protestant, an enemy of Spain, and a hater of vice and immorality, but he was not a Puritan to make a show of his principles. For the present the Earl of Northampton was in power, and Winwood went about his office work courteously and competently, showing neither triumph nor malice towards those who had opposed him.

The appointment of Winwood put heart into the Protestant party. The enemies of the Howards began to show their heads, and the tongues of those athirst for place began to wag boldly against the party that was in power. The cry of "No Popery!" has, since the days of the Armada and beyond, been a shrewd "Tally Ho!" to bring the hounds on the trail of a hated minister. It was whispered of Howard that he had let priests and Spanish spies through the gates of the Cinque Ports, of which he was warden. Then it was muttered that he was in correspondence with Cardinal Bellarmine.

The rumours grew, the growling became audible in the Court, and reached the King's ears. Northampton denied the charges, but the King was angry about it. Northampton consulted Mr. Attorney. Bacon advised the prosecution of some mean persons in the Star Chamber and the slitting of ears and pillory discipline as a sure cure for further scandal. Speaking evil of a dignitary was a dangerous crime in those days.

The idea that a prosecution of this kind could go astray and fail to reach the goal of conviction does not seem to have occurred to anyone. Bacon handled the case with masterly suavity. It was all soft going at the first, but as his proof proceeded it was apparent that some members of the Court were not friendly towards Northampton.

Someone on the bench bluntly asked the Earl himself if he had ever written letters to Cardinal Bellarmine. Mr. Attorney was shocked that such a question should even be asked. Northampton was deeply pained. The want of confidence in the Lord Privy Seal touched him

sorely. He found it difficult to know whether it was his duty to reply to such a question. Mr. Attorney strongly urged that it would be a terrible precedent for a Lord Privy Seal to answer irrelevant and non-pertinent interrogatories about matters of State.

How modern it all sounds! We do not alter the gist of our legal procedure with the centuries, nor all the old-world phrases of it. The poor prisoners pricked up their ears at the discussion, hoping perhaps that if Northampton spoke the truth, those ears might be spared to them. But already Mr. Attorney had waved the matter aside and returned to relevance.

At this moment our old honest friend Abbot arose and produced a letter. It was rumoured afterwards that the landlord of the King's Head at Canterbury was an eager Protestant and had a nose for English monks travelling as men of pleasure, and fingers not averse to going through their pockets. Be this as it may, there was Abbot with a letter written by Northampton, in which he described himself as a Roman Catholic wearing the mask of Protestantism at the solicitation of the King for holy reasons.

The Attorney-General was on his feet again applying for an adjournment to further consider the matter. The Court adjourned. It never met again. Later on the mean prisoners, having paid their jailer's fees, were released. The great Earl of Northampton, deeply offended, retired to his country house at Greenwich.

What steps might have followed Abbot's revelations in due course we shall never learn. For in a few weeks it was known that the Earl of Northampton was lying seriously ill at Greenwich. Heaven struck a deadly blow against the safety of the Earl of Somerset and his wife when it called Henry Howard away from the world. But had he lived he, too, might have fallen beneath the feet of his enemies, though he would have made a stouter fight of it than Somerset.

For the old man was a brave, confident soul, and

when he was told his days were numbered and that it was his time to die, he sent for his steward and told him he was determined to die in the lordly pleasure house he had built for himself in the Strand, and gave orders for his removal there and his ultimate funeral at Dover. The last that the world saw of him was when he drove from Greenwich to Northampton House in full state with a retinue of more than forty horse in a procession that was much admired as it passed across London Bridge and through the crowded City streets.

One of his last acts was to write a long letter to his young friend, Robert Carr, Earl of Somerset. Even his wise mind had not discerned that there was any danger of the favourite losing his hold over the King, so little do the greatest statesmen understand about the play of the hand in the game to which they sit down as experts. For in his last message the ruling passion of power and statecraft are strong with him even beneath the shadow of death, and he calls on his partner to use finesse in hindering Lisle or Pembroke from succeeding him at the Cinque Ports, "for as they hated me so they will plague my people and those whom I love." There are other worldly requests, which if Somerset will accede to "it will send my spirit out of this transitory tabernacle with as much comfort and content as the bird flies to the mountains," and then he concludes his last letter to his young friend in words which have the ring of honest affection in them :

"Dear Lord,

"My spirits spend and my strength decays, and all that remains is with my dying hand to witness what my loving heart did vow, when it gave itself to your lordship as to the choice friend whom I did love for his virtues and not court for his fortune.

"Farewell, noble lord, and the last farewell in the last letter I look to write to any man. I presume confidently of your favour in these poor suits, and will be

both living and dying your affectionate friend and servant,

"H. NORTHAMPTON."

The Earl and Countess of Somerset were away from London and there was no personal farewell between the old man and his favourite niece. It seems difficult, reading his letter, to believe that it was the letter of one conspirator in a poison plot to another who was his partner in the crime. But that Northampton had desired to put Overbury out of the way seems but too probable. Whether he whispered any word of it to the confessor who attended his last hours no one may know, but within a few days of writing to his friend, namely, on June 15th, 1614, he died at midnight in the seventy-fifth year of his age. He was buried, as he had desired, in the Chapel of Dover Castle.

When he passed away the one man who could have stood between Frances Howard and her fate was gone. A great power in the land had disappeared, but there were few lamentations and regrets, and the busy world began to plot and clamour for the great offices he had left vacant.

The shuffling of the cards and the new deal had no appearance of injuring the position of Somerset. Suffolk, his father-in-law, became Lord Treasurer and Chancellor of the University of Cambridge; the Cinque Ports and Privy Seal remained vacant, and Somerset himself took his father-in-law's office of Lord Chamberlain. The Howard influence remained paramount.

The King still leaned on Somerset's shoulder, and told him that he made him Chamberlain that he might be near him and because he loved him better than all men living. Perhaps he did, and might have continued to love him, had Somerset felt any affection for his master or had the patience to continue simulating the show of it.

At this crisis there was one wise man watching Somerset's conduct with the interest that a jockey takes in the

trials of a race-horse. For Francis Bacon had come to a time of life at which it would be madness in him to back any but a winner in the race for the King's favour. Already syndicates had been formed to deck out some young shapely fellow in fine feathers, put money in his purse, prick him out with jewels, and introduce him to the Court in Somerset's absence.

His Majesty had deigned to roll his goggle eyes at several of these, and then when his beloved Carr appeared had thrown his arms round his neck and dawdled away to his chamber without as much as a word to the new aspirant for favour.

But on other days the King was left alone by Somerset and was cross, vacant, and worried, and wise men like Abbot, Winwood, and even Sir Thomas Lake, whispered together that it might be possible to find a new favourite for the King. Bacon knew of these undercurrents of Court intrigues and poised himself above them all to watch their trend and movement. For Somerset was Bacon's patron, but not his friend, and if the King did find a new favourite he must be a man amenable to Bacon, who knew that he had the brains and wisdom and tact that poor Overbury had never possessed, to rule the King's favourite and through him to rule the King.

The wisest, brightest, meanest of mankind would not hesitate to choose a new master or desert an old one, but one cannot honestly say that Bacon owed any allegiance to Somerset or the Howards. Therefore, when, at the first rumour of quarrels between the King and his favourite, Bacon was approached by Winwood and Abbot to make himself of their party and promote a new favourite, he fell in readily with their design as very suitable to his own ends.

We may be surprised at the unblushing toadyism with which he pursued his course, but it was an age of toadies, and Bacon excelled his contemporaries in this quality as in all others. Nor is it at all a fact, as some writers would have us believe, that a human toad is

bad company. Bacon outwardly, whatever distaste we may have for his private character, was, beyond all doubt, most excellent company. He was cheerful, merry, and a good listener, not thrusting his own omniscience down another's throat, but leading a man to talk of what he knew, and he could entertain a country lord in the terms of art relating to hawks or dogs, or out-cant a London chirurgeon. There seems no knowledge, great or small, with which the man was not equipped, and yet he was not a bore. Added to this, he entertained nobly with great profusion of venison, game, wines, and flowers, served with much glory of silver plate, purple, and fine linen. One may not be able to acquit Francis Bacon of being a toad, but at least he had a jewel in his head, and we must admit that in the world to-day he would have been acknowledged as a super-toad, and his popularity would have been far greater than it was even in his own age.

The stories of the degradation and poverty of Bacon's last days strike a chord of pity in our hearts. When Fulke Greville refuses him a bottle of decent ale, though the faithful butler assures him they have nothing but sour stuff in the cellar at Gray's Inn, we picture to ourselves Fulke eating peacocks at Gorhambury in the days of the Chancellor's vanity, and cannot forgive his churlish want of charity. But Bacon himself had refused those in distress the meed of justice when they appealed for it in their hunger. Those who saw the last phase of him did not regard him as we do as one of the immortals on the steps of the throne, his worldliness forgotten and forgiven. They only saw the common spectacle of a place-hunter down and out and neglected by the Court, and wagged their pharisee heads at him, reminding one another with smug relish that :

> " Virtue is the roughest way
> But proves at night a bed of down."

For however highly endowed a man may be with wit

and learning, if he falls to the lure of vain ambition and commences place-hunting he has to revert to the common type. Like the lower infusoria his movements are ordained. You see him following his prescribed evolution, struggling to a coveted place in the sun, destroying his own kith and kin in the process, that he may shine like a star for a moment of time, until his own death or destruction is called for by his successor.

Francis Bacon, the philosopher, knew all this in his soul, but Francis Bacon, Attorney-General, had a sound instinct that Somerset's destruction was a necessary step in his advancement.

Chapter XXI: *Enter Villiers*

THERE are many contemporary accounts of James's first meeting with George Villiers. These historical moments lend themselves to legend and folk-lore. The one I like best—as Frank Lockwood said when he chose one of several alibis tendered by the prisoner's solicitor—the one I like best is the Cambridge tradition.

For herein you see the spirit of romance and the working of the fingers of fate which are dear to the weary chronicler. It was the Earl of Suffolk, the new Chancellor, Frances's own father, who made the feast which brought Villiers to the notice of the King. The whole affair was planned as a Howard triumph, and it turned out to be the prelude to the Howards' ruin. There is good melodrama and a flavour of poetic justice in the thought of it, so that if it did not happen, as Roger Coke says it did, more is the pity.

In the Hilary term of 1615 His Majesty, with Somerset in attendance, and much pomp and great concourse of courtiers, made his way towards Cambridge through hard weather and over extremely foul ways. Young Charles, the Prince of Wales, attended him, but not the Queen. Indeed, the absence of great ladies and of the ambassadors was much commented on, but it was to be a Howard party and a Howard demonstration of their property in the King. The ladies were the Countesses of Suffolk and Somerset and others of the alliance. The Pembroke and Montgomery families and the nobles of that faction were not invited. Still some of their inconspicuous friends were present to watch events and send word of what happened to the chiefs of their party.

It was an entertainment after the King's own heart, continuous, lavish, and abundant. The Chancellor spent £1,000 a day on the feasts and plays, pouring out twenty-six tuns of wine for his guests in five days and loading his tables with gross supplies of food. The Earl of Suffolk himself lay at St. John's, his lady and her daughters at Magdalene, whilst the King and the Prince and their retinue lay at Trinity College. Here the plays were held, for the hall of that College could hold two thousand persons without crowding.

One of the pieces was a play called "Ignoramus," which was a satire on the lawyers, and stirred up a great contention between Templars and graduates. In this drama a young man of twenty-two or -three, named George Villiers, played some subordinate part or walked on perhaps with the crowd. He was the son of an impoverished Leicestershire family and had but recently returned from France. A clever, pushing mother believed in her beautiful darling, and had sent him to London to Court, and he had been seen at Newmarket in an old black suit, broken out in various places. A pathetic, bashful figure with none of his mother's unruly vigour about him as yet. Still, Pembroke had noted him, and Abbot had spoken kindly to him, and in recent months it was noted that he was better dressed and his good clothes had given him greater assurance of manner.

There were present at the performance of "Ignoramus" friends of Abbot's who watched with interest when this young Adonis came on the scene. For he was a youth of eminent grace and beauty of person, full of delicacy and of handsome features; his hands and feet being esteemed by critics of male beauty to be "specially effeminate and curious."

This human jewel, polished and dangled before the King's eyes, was a real temptation to a jaded man, weary of contests and quarrels with his old favourite and chafing under a sense of neglect. The old man's eyes rolled with pleasure as the youth crossed the stage.

Later in the evening young Villiers had the honour of being presented to the King, who gazed at him with favour. When Archbishop Abbot heard these things he felt proud of his discovery and satisfied that in this yearling they had, with careful training and manage, the making of a favourite.

The Suffolks and their friends do not seem to have noticed his appearance, and James himself made little outward fuss about the young fellow, for that was not his way. He intended from the first to bring in George Villiers, but he did not as yet throw the handkerchief. For that was not his method. Here was a case for the exercise of kingcraft. James rarely approached difficulties by direct frontal attack, but he had a real genius for gaining his ends by dissimulation and finesse. His first idea was to promote Villiers to his service without discarding Somerset, a compromise proverbially difficult in affairs of friendship.

And the matter was complicated by the fact that behind George Villiers was a powerful group of politicians who saw in the youth's beauty and the King's recognition of it, munitions for the capture of the Howards' citadels. The syndicate, as we should call them, who were financing Villiers were Archbishop Abbot, who had discovered the youth, and persuaded the Queen to use her influence in his favour, William Herbert, Earl of Pembroke, and Sir Thomas Lake. In due time Sir Ralph Winwood joined them, and Bacon, who was never long in leaving a losing party, became at a later stage the staunch adherent of Villiers.

When the Court returned from Cambridge to Whitehall it was soon known that someone—rumour said Sir Thomas Lake—had bought George Villiers the office of cup-bearer to the King. The post was probably purchased by Sir Thomas out of party funds just as the election expenses of a likely candidate are paid to-day. For the party had regular meetings at Pembroke's stronghold, the old Baynard's Castle near the Fleet,

where Crookback Richard had his Court in old days. If we could get the minutes and accounts of the syndicate and read what Abbot proposed and Pembroke seconded, and how the money was found and spent, we should know much more of the history of James I than is set down in the records in State archives. But that, of course, is as true of history of our own times.

The gossips of the Temple and Paul's soon learned, however, that there was a battle royal raging in Whitehall between the backers of young Villiers and the adherents of Somerset. Had the latter played a careful game he might still have left the table a winner or retired without serious loss and remained in the King's service as Philip Herbert, the former favourite, had done, for His Majesty would go any length in the way of compromise to save himself from the hateful wrangles of faction.

Somerset wearied and angered the King by constant complaints of his enemies. One afternoon His Majesty was just leaving his apartments for the dinner-table when the Earl rushed into his presence with a long, confused story of how a servant of Pembroke's had thrown mud at his picture which was hanging in a shop in Fleet Street.

"Never heed such tales, mon," said the King, trying to laugh the matter off.

"It is an insult to your Majesty to defile the image of your servant."

"Vera weel! Vera weel!" replied the King, shrugging his shoulders with a merry grimace. "Then I will ev'n put the insult in my poke and forgive the fool. And now awa' to dinner, Caro."

But "Caro" was not to be won by smooth phrases, and curtly telling his master that if he would not defend his honour it was clear he did not desire his presence, he left the room in a rage, slamming the door behind him, and the frightened pages in the corridors marked him striding out of the palace uttering passionate curses. These scenes were too often repeated nowadays. The

man had no tact. He might have remembered what the lack of that quality had cost poor Overbury.

When James came to the dinner-table it was noted that he looked very uneasy and melancholy, which was not unusual in these days. He sat biting his nails, eating indeed little else. At length his new cup-bearer, young Master Ganymede, like Jove's own page, presented him with wine and a bashful, smiling face of gratitude at the royal condescension in taking the cup from such lowly hands.

There was an Italian picture in the banqueting-hall of St. Stephen gazing towards heaven, with upturned eyes and a face of great beauty and sympathy. The King turned from the picture to the angel-face of the youth kneeling at his side.

"Ye remind me of Steenie," he said, patting him on the head as he would a dog. "Ye remind me of Steenie."

James had a gift for just nicknames, and "Steenie" and "Baby Charles" and their "Old Purveyor" lighten up the dullest pages of history with a savour of the coarse kindliness of the old man.

The syndicate did not let the world forget "Steenie." Every day he appeared in new adornment. It was a dazzling suit of white satin in which he appeared at the gentlemen waiters' table at Whitehall that was near to his undoing.

One of Somerset's servants, carrying a dish of soup, tripped at the back of Villiers, not perhaps accidentally, and spilled a good ladleful over the popinjay, to the unconcealed mirth of the Howards' friends at the table. Villiers jumped up in a rage and caught the clumsy fellow a clout on the ear. To strike a blow in the King's palace was akin to treason. Villiers had delivered himself into the hands of Somerset, for it was the Lord Chamberlain's statutory duty personally to superintend the punishment of the brawler. He must be present when the culprit's right hand was cut off by the execu-

tioner, and in mercy to the victim make sure that this official did afterwards " sear the stump when the hand is stricken off."

James never forgave acts of violence, and Somerset and his friends were eager and ready that the law should be carried out against the wrong-doer without delay. No one doubted that the best the youth could hope for was banishment from the Court, if the King relented so far as to remit the sterner part of his punishment. But the friends of Villiers did not desert him at this crisis in his career. From Anna to the meanest waiting-woman, all were in tears at the thought of so graceful a hand being severed from its offending arm.

The King took the matter seriously. It was part of his system to terrorise over the passionate youths at Court who were ready to draw swords and strike blows at the least affront. Villiers was denied the presence. Somerset was heard as accuser. The King looked grave and sent for Abbot.

The good Archbishop hurried anxiously to Whitehall. The King gave a patient ear to his counsel, since he had from the first intended to follow it. Abbot did not spare himself. He quoted precedents from Holy Writ, pleaded the example of the King of Kings, lauded the royal prerogative of mercy as a gift direct from heaven, and extolled the divine qualities of the wise King at whose feet he knelt to pray for mercy for the unhappy youth.

Even his Grace of Canterbury, when his cause needed it, could play cup-bearer to his master and hand him sweet draughts of flattery which never cloyed the royal thirst. As the King had not from the first intended to injure his pretty Villiers, and was only approaching his end by the devious path of kingcraft, it was easy to take Abbot's advice and act upon it. Steenie was sent for and admonished by his patron and promised amendment, and at the end of the audience, mercy was extended to the penitent, together with the unwashed hand of

His Majesty, which Villiers pressed to his lips in tearful gratitude.

The first round of the fight had gone against Somerset. The syndicate pressed forward their cause. It was clear now that James intended to advance Villiers, though how far he was prepared to go no one could foresee. It was known that the King stood on the punctilio that whoever sought advancement in the service of the royal bed-chamber should be brought in on Her Majesty's own request. By this means had Carr made his first start many years before. Had he now had the sense to patronise the new-comer he might have kept him in a lowly place for long time to come. But that was not his way.

It was Abbot who came to the Queen to ask her to request a knighthood for Villiers from her husband. At first Her Majesty would have none of it.

"It will be the same as before," she said wearily. "Neither you nor your friends know what you desire. I know your master better than you all."

"He is greatly taken with the youth," said Abbot.

"Young Villiers is not the first," said Her Majesty, with a grimace.

"But consider his gracious manners. The young man is as potter's clay in my hands."

The Queen laughed.

"When the clay stiffens into pot you will not readily break it. If Villiers once gets this place those who have helped him to preferment will be the first sufferers."

"He will be grateful," murmured the Archbishop. "He has good parts."

"As yet," replied Anna, with a sigh. "But the King will teach him to despise us. Humility will turn to pride and scorn. He will soon fancy his own merit brought him his success. What man of you does not?"

When in later days the good Archbishop recorded these happenings he added to the margin of his script

the words: "Noble Queen, how like a prophetess did you speak!"

But he had his way, and hurried in his barge to Baynard's Castle and told the glad news to the junta who were sitting in council discussing the next step in the warfare against the Howards.

St. George's Day was fixed to make trial of the King's constancy. There were still some who thought that the hour of Somerset's fall was not yet at hand. But they decided to put it to the touch. Either the King was waiting for the move to be made or he would resent it, in which case Villiers, like many another Court butterfly, might flutter along his own path to destruction.

The scene was carefully set. Villiers had been placed near the door of the chamber where he was to be dis covered, speaking to Sir Thomas Lake, by the King. He was magnificently dressed in a new suit of blue and silver, adorned with jewels. The Queen made some excuse for the King to send for him, which he did. The handsome fellow advanced towards His Majesty and knelt before him. The Queen at that moment called to the Prince for his sword, and herself kneeling to her lord and master, presented the hilt to his hand, begging that he would knight this noble gentleman, whose name was George, in honour of St. George, whose feast they kept that day.

The King at first shrank from the sword, for the sight of cold steel frightened him, and he was utterly afeared when he saw the Queen coming towards him with a naked sword; but when he heard what she asked, he took the weapon and did it all very joyfully, and kissed the youth on both cheeks, greeting him as Sir George and feasting his eyes on the beauty and grace of him as though he had added somewhat to it by his royal favour.

So pleased was the King with the affair, now that it was over, that many thought it was of his own planning, so contrived that he might answer Somerset with the plea of complaisance to the Queen's wishes.

Enter Villiers

When it was known that the King had knighted the brave youth to whom already he had shown so much kindness it was town talk that George Villiers had entered into his kingdom and the fall of Somerset was imminent. But even then no one foresaw the horrible circumstances that were to bring about the Earl's ruin.

Part III: *The Drama of the Law*

Chapter XXII: *Sir Ralph Winwood Dines Out*

AND now we leave the romantic atmosphere of the Courts of Princes for the dull surroundings of the Courts of Law. Somerset's obstinacy made it impossible for him to remain at the Court of James, and in some way or other he had to be destroyed.

It is only fair to the King to say that he tried hard to bring his old favourite to efface himself without a scandal, but Somerset was stubborn in defence of his position and wholly misjudged the strength of it. The good Abbot, too, appealed to his "very loving son," Sir George Villiers, to be courteous and amenable to his rival, and at his suggestion the King sent him to the Earl of Somerset to make advances of peace and reconciliation. His Majesty went a progress in the south-west that summer, staying at Lulworth and Purbeck, and honoured Sir George's mother with a visit to her jointure house called Golty, where he was splendidly entertained.

It was from here that Sir Humphrey May, the Groom of the King's Privy Chamber, who had great tact in delicate tasks, was sent to London with young George on a mission of peace. He had carefully rehearsed Villiers in what he was to say, and then he called upon Somerset and explained that the King had commanded Sir George Villiers to wait on the Earl and humbly desire to be his servant and creature, and that His Majesty expected that the Earl would embrace him and take him in to favour. If this were done, Sir Humphrey intimated that the Earl of Somerset could still remain a great man at the Court, though not the sole favourite.

The Earl heard this with glum disapproval, pulled his beard thoughtfully, and announced that he would see Sir George at once. Within half an hour of May's leaving him Sir George arrived. The young man entered, spruce and smiling. Somerset received him with formal politeness. Sir George spoke his piece, which he had by rote, rapidly and clearly, but with no accent of humility or sincerity in the tones of his voice.

"My lord, I desire to be your servant, and your creature, and shall desire you to take my Court preferment under your favour, and your lordship shall find me as faithful a servant unto you as ever did serve you."

He stopped suddenly in his recitation, and the Earl, who was fuming with passion at the studied impudence of the fellow, made a short, quick answer without thought of consequences.

"I will none of your service, nor shall you have any of my favour. I will, if I can, break your neck, and of that be confident."

At this Sir George rose and bowed, treating scorn with scorn, and passed out of his house, nor did they ever meet again. And when Frances heard how the youth had been treated she rejoiced and applauded, so little did either understand that the words the Earl had spoken had doomed them both to ruin. For had he received this splendid suppliant with outward courtesy, then, as an old writer wisely tells us, "Overbury's death had still been raked up in his own ashes."

The Queen and the Archbishop were continually pressing James to dismiss Somerset. Villiers was playing the pretty boy learning to ride and dress himself beautifully, as Carr had done but a few years ago. The King, after his manner, was temporising; exercising his kingcraft to do what pleased him at the moment with the least worry and annoyance to himself. Could he have persuaded Somerset to recognise Villiers and play a second fiddle to him in the Court orchestra all had been well. But Somerset was choked with pride and obstinacy,

and, though he would no longer pander to the King's follies, was trying to hold his place through force and the royal fears.

The King writes many letters finding fault of his ill-behaviour and complains that "your fiery boutades were coupled with a continual dogged sullen behaviour," and again: "You have many times uttered a kind of distrust of the honesty of my friendship towards you." And then in a long screed he comments thus on the final iniquity of his servant: "Fourthly, which is worst of all, and worse than any other thing that can be imagined, you have in many of your mad fits, done what you can to persuade me that you mean not so much to hold me by love as by awe, and that you have me so far in your reverence as that I dare not offend you or resist your appetites. I leave out of this reckoning your long creeping back and withdrawing yourself from lying in my chamber, notwithstanding my many hundred times earnestly soliciting you to the contrary, accounting that but as a point of unkindness."

The letter appears to have been written shortly before the King's return to Theobalds. That he had a real affection for Somerset and did not want to destroy him, and that he was in terror and fear of the man who knew his inmost secrets, seem the two truths lying beneath the long appeals and threats in the King's letters. Pitiful indeed are his prayers to Somerset for a few words of kindness and consideration. "God is my judge," he cries, "my love hath been infinite towards you; and only the strength of my affection toward you hath made me bear with these things in you and bridle my passions to the utmost of my ability. Let me be met then with your entire heart but softened by humility."

But at the end of his long epistle he warns him of the danger of frowardness towards God's anointed: "Thus I have set down unto you what I would say if I were to make my testament; it lies in your hands to make of

me what you please—either the best master and truest friend, or, if you force me once to call you ingrate, which the God of heaven forbid, no so great earthly plague can light on you!"

It would be interesting to find Somerset's reply to his master, but history plays these pranks with those who search into its mysteries, preserving the letters and memorials of one witness and hiding the others beyond mortal discovery. We may take it, from the text of other letters of later date which were preserved, that it was not submissive.

To whom the honour belongs of seeking to destroy Somerset by implicating him in the murder of Overbury it is difficult to say. Sir Edward Coke, Sir Ralph Winwood, and Archbishop Abbot were all very forward in the affair. The latter was a keen supporter of Villiers, and now that it was clear that he was to be King's favourite, it was thought by some of these that the disgrace of Somerset might be compassed by raking up the circumstances of Overbury's decease in the Tower.

The notion that there was no contemporary suspicion about the affair, though it satisfies some historians, cannot be allowed. There was much gossip about the matter, but as it touched Somerset and the King himself and Dr. Mayerne, the King's physician, who had been with Overbury a little before his death, and Dr. Craig, another of the King's doctors, such gossip as went round the taverns was uttered with bated breath, and the references to the business in news-letters are exceedingly discreet.

But the Overbury family had their suspicions of foul play, which were met by royal favour and place and emoluments for several of them. The common people had never doubted that he had been put away by poison and witchcraft. In those days all sudden and unexplained deaths were put down to such causes, and we shall find the great Sir Edward Coke himself believed that Prince Henry, Northampton, Lord Harington and his son,

the Earl of Salisbury, and Overbury had all been destroyed by poison and witchcraft. It is in the light of such psychological surroundings that the trials we are going to consider must be viewed. To-day such trials would be judicial crimes, and the executions following them executive murders. But in those times the strange circumstances surrounding Overbury's death made it reasonable that some judicial sacrifices should be offered at his tomb.

Although witchcraft is no longer widely recognised to-day, at least in its maleficent nature, yet then it was impious to deny its supernatural origin. As to poisoning, it seems reasonable to believe that the number of people who had access to poisons and knowledge of their effects was not large, and it would seem highly probable that the scoundrels who pretended to deal in such things were more often than not common swindlers and blackmailers who sold their victims harmless powders for large sums of money and blackmailed them afterwards by threats of exposure.

The generally accepted theory of Overbury's death at the time it occurred among those who moved in Court circles was that he died of disease attributable to his own habits and aggravated by confinement. But there is plenty of evidence that there was a conspiracy to poison him, and if he did die of poison it was probably administered by an apothecary's boy named Reeve, who was a servant of Paul de la Bell, the foreign apothecary who was constantly employed by the great Dr. Mayerne.

The story went that this lad was found at Brussels, and falling sick was tended at the embassy, where on his death-bed he confessed the part he had played to the servants of Mr. Thrumball, the King's agent. Thrumball, who was a cautious man, was loath to put his hand to letters about the business as it touched people in high places, but he hinted to Sir Ralph Winwood that if he were sent for to England he could give him

important information. At first this was negatived, but later he was sent for, and named Mrs. Turner, a man named Weston, Overbury's jailer, and Franklin, a quack doctor and adventurer, as being concerned in a conspiracy to murder Overbury. Winwood seems to have kept this to himself for some time, and when in September it became clear that a charge such as this, which might involve Somerset, would be well received, he brought the matter forward very skilfully.

Winwood by this time was well aware that the man who could give him good information of what had really happened was Sir Gervase Helwys. He was still Lieutenant of the Tower. In his custody was the Countess of Shrewsbury, who had been imprisoned for the part she had played in Arabella Stuart's business. Helwys treated her with great courtesy, hoping for patronage from the lady's sons-in-law, Arundel and Pembroke. He had told her a great deal of what had happened to Overbury, and she had suggested that it might serve all their ends if he told what he knew to Sir Ralph Winwood. Helwys, poor fool, was only too pleased to think that he could be of service to the Secretary.

The Earl of Shrewsbury had come up from Sheffield Castle, where he spent most of his time hunting and hawking, to see his son-in-law, the Earl of Pembroke, about his wife's affair. The latter, who was in the plot against Somerset, proposed to his father-in-law that he should invite Sir Ralph Winwood to dinner and ask Gervase Helwys to be present, as he believed this would pleasure the Secretary. Sir Ralph Winwood was duly invited to the Earl of Shrewsbury's town house in Broad Street to a dinner given in his honour, and many noble lords and gentlemen, among them Sir Gervase Helwys, were there to meet him.

After the dinner the Earl, as he had been instructed, introduced Sir Gervase to the Secretary as a person very worthy of his acquaintance and commented on his many

good qualities. But Sir Ralph, who was taking leave of the Earl, looked rather sternly at the lieutenant, and made as though he would pass out, but Sir Gervase stepped towards him. Upon this Sir Ralph said that he would willingly embrace his acquaintance, but that he could first wish he had cleared himself of a foul suspicion the world generally conceived of him touching the death of Sir Thomas Overbury.

Helwys turned rather pale at this, and the Earl appeared gravely surprised, but Helwys, recovering his composure, declared he had nothing to hide in the matter, and would lay before the Secretary every syllable he knew of the affair. He assured the Secretary that he was entirely innocent of any wrong, and begged to be allowed a private conference with Sir Ralph at the earliest moment that he might answer all his questions.

A meeting afterwards took place, and Winwood appears to have allowed poor Helwys to go away from his presence under the impression that he had convinced him of his integrity and honour, though he may have erred in point of discretion. At all events, Winwood parted from Sir Gervase in a familiar and friendly manner. Winwood now had in his possession evidence, and the means to obtain evidence, that would go far to destroy the Somersets, or, better still, put them in such fear for their lives that they might seek mercy by timely confession and leave Villiers in undisputed possession of the King's affection.

All this must have happened in August, or very early in September, of 1615, as by the 10th of this month Winwood had gone with the story to the King and it was resolved to start a prosecution. The King ordered Sir Gervase Helwys to report to him on the whole circumstances of the case, and the unhappy lieutenant, relying doubtless on the familiar and friendly disposition of the grave Winwood, sat down and wrote out an account of the plot as he understood it, in which he involved himself in a confession of having, as guardian of his

prisoner, known of a plot to poison him without reporting it to the King or the Council. The foolish man supposed his position would be appreciated. He had been a servant of the Howards who then governed the King, and to report facts charging foul crime to a daughter of the Howards would have brought upon him immediate disgrace.

His letter is a very ingenuous affair, and it probably contains as much real truth about the Overbury business as is to be found in any of the documents used in the trials. He reminds the King that when His Majesty appointed him to the Tower he found that Overbury was already a prisoner. Sir Thomas Monson, one of the King's friends, recommended the man Weston to him as keeper for Overbury. He found Weston tampering with his prisoner. "Not many nights," he writes, "after I had placed him there Weston did meet me (the place I am well advised of), and being ready to carry up his soup asked whether he should now give him that which he had or no." Helwys was thunderstruck at the suggestion that he knew anything of a plot, and Weston equally surprised that he was not in the secret. The lieutenant "did begin to terrify him with God's eternal judgment and did so strike him as with his hands holden up he blessed the time that ever he did know me."

From that time Weston, as far as Helwys knew, brought him all the tarts and pots of jelly sent by Frances Howard, in the Earl's name, and these were destroyed and others counterfeited in their stead. Afterwards he felt that he was secure inasmuch as the prisoner, being ill, was in the hands of the King's own physician, Monsieur Mayerne, and his apothecary, Paul de la Bell, "an approved honest man as I thought and still do. But as Weston hath since confessed unto me, here was his overthrow and that which wrought it was (as he said) a clyster. This apothecary had a servant who was corrupted. Twenty pounds Weston said was given.

Who gave it, who corrupted the servant, who told Weston of these things I can give your Majesty no account; neither can I directly say that he ever named any as an actor in the business but only Mrs. Turner."

This was poor Helwys's story. His wrong-doing was lacking courage to denounce Weston to Monson and Northampton and the King at the time. But he was under the belief that the whole business was being engineered by the Howards and the King's favourite, possibly with the tacit consent of the King himself. So to save his conscience and the life of his prisoner he kept his eyes open, looked closely after Weston, but, as he believed, was in the end outwitted by Reeve, the apothecary's boy, who was afterwards smuggled out of the country by Paul de la Bell and died in Brussels.

Upon receipt of this letter the King made up his mind to act. It is not by any means clear that he foresaw how far the matter would endanger Somerset's life, and it seems fairly clear from after events that he never believed him to be guilty of murder or to be an accessory to murder. But his first idea seemed to be that the investigation would humble Somerset and his friends and probably enable him to cast off his old favourite without further trouble.

Sir Ralph Winwood was given charge of the business, and he wrote immediately to the Lord Chief Justice, Sir Edward Coke, to start upon the examinations of Dr. Mayerne, Paul de la Bell, the French apothecary, the Lieutenant of the Tower, Mrs. Turner, Weston, and Sir Thomas Monson, noting with grim complacency that "only mean persons being yet accused, their strict trial will best vindicate the great persons who may be indirectly implicated."

From that moment the Earl and Countess of Somerset were doomed, and the smaller wretches, who had ministered to Frances Howard's passion and the Earl of Northampton's plots, were left to wriggle in the meshes of the law, and no assistance or protection from

the great ones they had served could save them from destruction.

Even then it is possible that Somerset by timely submission might have averted ruin, and the appetite of the law might have been satisfied with the mean victims and allowed the great persons to be vindicated. But the command had fallen into bad hands for his interests. Coke was of the Pembroke faction. Moreover, a marriage was to be arranged between Frances, daughter of Sir Edward Coke, and John, brother of Sir George Villiers. Then Coke was thirsting for an opportunity to emerge from the shade into which Bacon's intrigues had thrust him. In those days even an elderly Chief Justice was not immune from the lust of publicity. Truly, it may be said, the stars in their courses fought against Somerset.

Chapter XXIII: *Coke Takes Command*

SIR EDWARD COKE is a household word in English law. We remember his Institutes, his arguments in Shelley's Case, and his Reports. He was now a man of sixty-three and Lord Chief Justice of the King's Bench. He had stood out against the King and his prerogatives. He had been a popular figure in Parliament. In the reign of the great Queen he had entertained her at his palace at Stoke Poges and presented her with gifts of jewels. But in these modern times he ran the risk of being elbowed out by new men with new ideas. That young upstart, Francis Bacon, had run him close for the office of Attorney-General, and had now succeeded him in that office, having persuaded the King to give Coke a place of less profit as a kind of discipline in order to make him more obsequious and less likely to oppose the King's wishes.

When Coke got orders to proceed to inquire into the Overbury case he regarded it from one point of view and that only. It was a chance to advertise his own merits, to restore him to the King's regard, and to make him by the grace of God the successor of old Lord Ellesmere, who must soon be relinquishing the great seal. He had been a foul and rancorous prosecutor, and his conduct in the prosecution of Raleigh was notorious and infamous. He took the same brutal pleasure, as Jeffreys did in after years, in bullying prisoners and witnesses and, as the latter used to say with a chuckle, " giving them a rough lick with his tongue."

Bacon, too, as the case went on, saw his way to advancement by his conduct of it. For Somerset and his wife, for whom in the days of their vanity he had made feasts

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and masques, he now prepared indictments, interrogatories, and wily legal snares. Neither of these men conducted the cases with any real effort to promote the ends of justice. To both of them the matters were popular dramas to which crowds would be attracted, and they were star legal artists playing for their own advancement with selfish skill and efficiency. Or as a sportsman would say, the affair was a grand man-hunt in which the destruction of the prisoners was to lead to the crowning of the huntsmen with golden laurels.

For never before, or indeed since, in our legal history did a series of trials create such popular excitement. For two terms nothing was talked of but the Overbury case and the criminality or innocence of those who stood their trial. Even to-day a considerable literature exists of historians, lawyers, and other dryasdusts poring over the undecipherable State papers in the hopeless task of discovering the truth of the whole business. Coke and Bacon between them have successfully made that impossible.

Nevertheless, let us try and remember the commandment and praise famous men and our fathers in the law. At least it may be said of Coke that he plunged into the Overbury investigation with energy and industry. There exist to-day, it is said, over a hundred examinations taken in his own handwriting. Alas, that we should find in some of the depositions of the accused, alterations and interlineations in my lord's handwriting improving the testimony of the victims to their own undoing! But these things were perhaps customary and not without precedent.

Coke fastened with avidity on to the wretched Weston, the first examinee to be brought before him. He had been arrested forthwith. Then Mrs. Turner was taken into custody and placed for the present in the care of Alderman Jones. These two had heard rumours of troubles coming to them some time previously, and had met secretly in Hertfordshire. Weston had received a

message to meet Mrs. Turner at Ware, and had journeyed there to a tavern, where he expected to find her. She, with the instinct of a hunted animal, had merely left word that she was to be found at Hogston, whither he followed her. They met and discussed a common story, and Weston was to see the lieutenant and sound him on the subject. Like a fool he told Helwys of his journey to Ware, and it was probably on this occasion he told him further details of the story of the apothecary's boy. All these things Helwys, in the full belief that if he told the truth no harm would befall him, set down in his depositions.

Coke, having these before him, listened with grim pleasure to Weston's colourless lies, and then opened out upon him an explosive battery of noxious facts for the poor wretch to answer and explain. After half a dozen examinations, carefully corrected and amended by himself, Coke had as many stories of Weston to choose from as any inquisitor could desire.

Following Mrs. Turner, Helwys himself was sent for, and then the man Franklin, who had supplied Mrs. Turner with the poison. Then witnesses were examined, not only touching Overbury's career and death, but concerning the poisoning of Prince Henry, a business which Coke believed he would discover and prove before this investigation was over.

So the old man went on nosing out all he could learn of these crimes, or suspected crimes, hoping to make himself popular in the country among those who feared the workings of witchcraft and poisoning, and indispensable to the King in discovering criminals among his own household who might at any moment have done away with him and his family.

But, clever lawyer that he was, he had not the tact and instinct of adulation that made his rival, Bacon, beat him in the race for honours.

His allusions to Prince Henry's death were deeply resented by the King. If there was anything in these

persistent rumours it was clear that Monsieur Mayerne, the King's physician, was at least grossly to blame in the affair, and to hint that the instigator of this crime was Somerset brought the dishonour of it too near the person of Majesty itself. Then Mayerne and his apothecary were in attendance on Overbury shortly before his death, and here again the linking together of the two deaths in this way was highly displeasing to the King.

And now we come face to face with the mystery of mysteries in the matter of Overbury's death. What was the position of the genial Mayerne? That he knew one way or other whether Overbury was suffering from the effects of poisoning shortly before his death is certain. That he could have said what, if any, disease he had upon him when he made his visits to him, and what treatment he ordered his brother-in-law, Paul de la Bell, his apothecary, to carry out cannot be questioned.

Sir Ralph Winwood, grasping these facts, asks Coke to examine Mayerne and the apothecary without delay, suggesting to him the very details which obviously they could supply. Only in this way, he said, could the scar of calumny be removed from the great ones who might be tainted with this crime. Now this was plain, honest sense. How was it then that Dr. Mayerne was never examined at all, nor Dr. Craig, the other physician who had attended Overbury on the Earl of Somerset's written order? Why was it that Paul de la Bell was never asked the questions that Winwood suggested? His deposition was indeed taken, and he gave up to Coke all the prescriptions he had prepared for Overbury, but his expressed opinion that Overbury died of consumption was ignored and the prescriptions were not produced.

The story that his lad Reeve, whom he sent abroad, had been bribed to give Overbury poison just before his death was never followed up, and we shall see that the trials went on without any effort being made to prove by medical evidence of the leading doctors in the kingdom that Overbury died from poisoning.

The fact is Coke was not out to solve mysteries; he was out to convict prisoners and bring the crime home to the Earl of Somerset. For this purpose, as the law then stood, he must first find and hang an actual murderer, for until he had convicted a murderer he could not successfully indict those whom he had cast for the parts of accessories.

Now if Reeve the apothecary's boy was the murderer, he being dead could not be put in the dock, and the course to pursue was a difficult one. But if Weston was promoted to the part of chief murderer, there was plenty of evidence that he had contrived and possibly attempted murder, and it was but a small stretch of the truth to assume that he had succeeded in his efforts, nor could it be disputed that such a villain would be any worse for a hanging. Moreover, Weston could be linked up with Mrs. Turner, Franklin, and the Countess, whilst Reeve could not. If Helwys was to be believed, Weston did not administer poisons. If Mayerne was called and Craig examined, these doctors might, and probably would, prove that Helwys and Weston were right. They might also prove that Paul de la Bell was correct in his view that Overbury was dying of consumption. This would endanger the whole fabric of the prosecution.

Coke determined to reject the possibility of disease, to refrain from calling medical evidence, and to ignore the story about Reeve the apothecary's boy. He decided that he would convict Weston as the murderer and all his associates as accessories. Having made up his mind to this programme, he announced his determination to try Weston first, and begged that some steps might be taken to deal with the Earl of Somerset and his wife, against whom allegations were made.

Somerset had been protesting his innocence to the King, but whatever His Majesty really thought about the affair it was clear that things had gone too far to stifle the prosecution at this stage, and Coke's application

was granted. During the first fortnight in October, Lord Chancellor Ellesmere, the Duke of Lennox, and Lord Zouch were appointed, with the Lord Chief Justice, a committee to examine Somerset.

It must be remembered that when Frances Howard and Mrs. Turner were sending delicacies to the Lieutenant of the Tower for Overbury's destruction, although they sent them in the Earl of Somerset's name, there is no evidence that he knew anything whatever about the business or that he himself had any communications with Mrs. Turner. Indeed, it seems likely that Frances would keep from the knowledge of her lover the conjurations she had used to secure his love.

But now the poor woman was distraught. She was within a few weeks of her confinement, and Mrs. Turner had already frightened her with her stories of inquiries and investigations. The news of her friend's arrest and Weston's imprisonment terrorised her, and she must have told the Earl something of her folly and her intercourse with Mrs. Turner. He seems to have acted foolishly and impetuously, but doubtless with the sole desire to save his wife from the results of her evil doing. He was still a free man, and issued a warrant under his hand and seal to one Poulter a Pursuivant to visit a cellar belonging to William Weston, the son of the prisoner, and there seize a trunk containing some bonds of a Mrs. Hinde. There was, of course, no such personage, but there were letters of Mrs. Turner's to Weston and Forman that nearly touched the guilt of the Countess. This ruse was successful, and he made a further effort to obtain a trunk which Sir Robert Cotton had deposited with a friend of his. This contained letters of Northampton, but it had been deposited with a merchant who would not deliver it up to anyone but the Lord Chief Justice, in whose presence the trunk was opened and the letters impounded.

These movements of Somerset properly led to his arrest. The Commissioners were unanimous that he

and the Countess should now be arrested, and Coke, who was indignant at his contempt of Court, was longing to issue the necessary warrant. But this was a step that could not well be taken without communication with the King, to whom an account of the investigations and of Somerset's actions was duly sent. The King was then at Royston, and Somerset was with him, and Sir Ralph Winwood brought the King the report of the Commissioners.

The King finally made up his mind to hand his favourite over to his enemies, which he did in a manner highly characteristic of his royal methods of kingcraft.

Coke at that time lived in the Temple. He was a man of most methodical habits. He used to go to bed at nine and rise at three. At about one o'clock in the morning a King's messenger arrived and knocked at the door of his chambers, which was opened by one of Sir Edward's sons.

"I am from the King, and must speak immediately with your father," said the messenger.

"If you come from ten kings," said the young fellow bluntly, "you shall not; for I know my father's disposition to be such that, if he be disturbed in his sleep, he will not be fit for any business; but if you will do as we do you shall be welcome; and about two hours hence my father will rise and then you may do as you please."

So the messenger and young Coke sat and dozed in a parlour until exactly at three in the morning a bell rang and Sir Edward gave notice he would see the messenger. Then he arose with great readiness and made out a warrant for the Earl, which the messenger carried away to Royston.

He arrived about ten o'clock on a fine October morning, and finding Somerset with the King, handed him Coke's missive. The Earl was indignant, and protested to the King that he would tear it up, but James was shocked at such a notion, praying him to be calm and patient and obedient to the law, for, said he: "We

must all obey the law, and thou must ride to London, for indeed if Coke sends for me I must go, too."

Upon this the Earl kissed his hand, and said he would do his will, and the King hung about his neck, slobbering his cheeks, saying: "For God's sake when shall I see thee again? On my soul I shall neither eat nor sleep until you come again."

The Earl promised that he would be back on the Monday, this being a Friday, at which the King was much joyed.

"For God's sake let me see thee o' Monday," he said, lolling about his neck. "Shall I then? Shall I?" he asked anxiously, and he followed him to the stair's head.

"Then for God's sake give thy lady this kiss for me," he cried, as he threw his arm over his shoulder and leant on the Earl as he went down the stairs.

He kissed him on the middle stair, and again at the stair's foot he gave him a last Judas kiss, and with false tears in his eyes watched him leave the door and go out to his coach. But ere Somerset had his foot on the step of his coach the King turned his back and went into his chamber, saying, as he passed his servants, in a tone of triumph and relief: "Now the De'il go with thee, for I will never see thy face any more."

This was indeed almost a true prophecy. But Somerset rode to London still secure in his own mind in the tenure of the King's affections. Obstinate in his innocence, he was eagerly ready to meet the attacks of his enemies, but he had no more perception of the strength of the net that they had drawn round him than he had of the intention of the King, his master, to cast him out.

That afternoon Sir Edward Coke arrived at Royston and disclosed to the King the horrid plot which he had unearthed, charging Somerset and his wife with the foulest murder ever perpetrated, and claiming that they had made Majesty itself a pimp to carry on their bawdy and murder.

The King, who was easily moved to tears in the presence of a strong man, commanded his Lord Chief Justice with all scrutiny possible to search to the bottom of this foul conspiracy, and there before his courtiers knelt down and beseeched him to spare no man how great soever, concluding his mandate with words that many remembered and quoted with a shudder in years to come.

" God's curse be upon you and yours if you spare any of them ! And God's curse be upon me and mine if I pardon any one of them ! "

Chapter XXIV: *Richard Weston Stands Mute*

THE pleasant tasks of the chronicler are now to be lightened, but the heavier troubles of the dramatist are here to burden us. Various as are the versions of the reported speeches of advocates, the evidence and depositions of witnesses, and the statements of the accused, yet we have reports of errant length and words in generous profusion. The task is to curtail these unwieldy materials and to express the human values of them. A trial that takes long hours to conduct has to be dramatised into a short chapter, and we must harden our hearts even to contempt of court in blue pencilling the diligent screeds of judicial wisdom.

The romance of our poor heroine has ended with the prologue, and now we are face to face with the very day of judgment on which the wages of sin are counted out and paid by the rough-and-ready hand of human justice.

The scenes change from glittering courts and noble country houses to the cloisters of the Temple, the Guildhall, and the Great Hall of Westminster. Here is a medley of dusty records, of examinations, indictments, reports, *vera billa*, verdicts of common jurors on their oath, verdicts of peers on their honour, judgments and executions, all the paraphernalia of the law wrested from its right uses to play the party game of kings and favourites, its high priests and advocates worshipping at the shrine of Mammon and leaving their sacrifices to the mercy of God.

No more for us the sweet music of the dance, the colour and elegant design of costumes of fair ladies and

stalwart youths displaying their beauty in the masques of rare Ben Jonson. No more groaning tables and choice foods and flagons of ruby wine in the banqueting halls of the great. No more gatherings in the fields and woods of the countryside of the King and his falconers and huntsmen with hawks and hounds to hunt the heron or the deer. The curtain has rung down on the gross, if pleasant, comedy of the vices and pleasures of the rich. For now the prompter summons beginners to appear in the tragedy drama of the law. In true stage fashion we shall find that the opening scenes are given to minor characters. But wise audiences know what awaits them, and if they will be patient in their seats, they shall see, ere the curtain falls, the principals of the tragedy with the limelight of the law thrown full on their wicked lives, and the common herd shall be tickled with the sight of the great ones of the earth baited by the law for their pleasure.

The first to be called to the bar to plead was Richard Weston, whose trial took place at the Guildhall on October 19th. The Commissioners were the Lord Mayor, the Lord Chief Justice, the Recorder, and several other judges. The Lord Chief Justice, who up to the present had acted the part of public prosecutor, was now the Judge and read the King's Commission to the Grand Jury, commenting on the wickedness of adultery—a shrewd touch at the Earl and Countess—and the baseness of secret poisoning.

The Grand Jury, after an hour's consideration, returned to the bar with a true bill, whereupon the Sheriffs were called upon to produce Richard Weston, who was set up to the bar and the indictment against him was read.

Eye-witnesses are agreed that the prisoner was not an attractive figure as he leaned over the railings of the dock. But I have often thought that few of us would really look our best in that uncomfortable human tenement. A bench, a throne, a pulpit—even a scaffold, may add a halo of dignity to a common mortal, but the

dock would rob the noblest Roman of his manliness. The staging of our court scene is unfair to our criminal. If we are honest in our maxim that every man is deemed innocent until he be found guilty, should not the accused have a seat upon the bench until the jury have decided that he is worthy of the dock ?

But whatever may have been the legal maxim of our Jacobean ancestors, the common citizens thoroughly understood that a man in the dock was a man with one foot in the gallows cart. And they came and looked upon him with the same diseased curiosity that we exhibit to this day in similar circumstances. And on the whole they were satisfied that Richard Weston looked the part for which he was cast.

He was a man of over sixty, of meagre looks, a death-pale complexion, a stern, grim, wrinkled face, his hair and beard tinged with grey. The crowd in Court, who had learned the story of his wickedness from gossip that had oozed out of the Temple into the taverns of Fleet Street, stared at him with awe and horror. His eyes were turned towards grim Coke. He gazed at him, much as a rabbit will look at a stoat, in patient expectation of the worst. For he had already suffered torments under judicial cross-examination, hearing his puzzled lies exposed and such truth as he uttered rejected with ridicule. Richard Weston had a genuine admiration for Coke, and continued gazing at him in humble terror as the indictment was read.

There were four charges against the prisoner. It was alleged that on May 9th, 1613, he poisoned Overbury with rosalgar; on July 1st with white arsenic; on July 19th with mercury sublimate; and on September 14th with mercury sublimate in the form of a clyster —from which clyster he died.

The indictment having been read, the prisoner was asked if he were guilty of felony yea or no.

To this the poor wretch cried out: "Lord have mercy upon me! Lord have mercy upon me!"

The Clerk of Arraigns demurred to the relevance of this plea, and impatiently demanded him to plead in proper terms, upon which he answered : " Not Guilty ! "

In the usual form he was then asked how he would be tried, it being essential in those days that he should answer, " By God and my country ! " But to the astonishment of the audience and the utter chagrin of the Chief Justice, he stood mute, and referred himself to God, and would be tried by God, refusing to put himself and his cause upon the jury according to law.

For an hour or more the Lord Chief Justice, the Recorder, and all the Judges argued and reasoned with this obstinate wretch, exhorting him to confess his crime or submit himself to the verdict of the jury. Whether he was prompted thereto by others or it was of his own motion, he refused to plead, and grasped the rail in front of him, muttering from time to time : " Welcome by the grace of God ! " and would utter no other plea.

Now there could be no trial of a prisoner who stood mute, and the Chief Justice was enraged at seeing his plans foiled by the creature's contumacy. There was, of course, a summary method in those days of dealing with a perverse wretch who refused the glorious privilege of being convicted by a jury of his fellow-countrymen, and Sir Edward Coke, having failed with persuasion, proceeded to the sentence of the law. This he delivered in elaborate detail, calculated to drive terror to the heart of the stiff-necked prisoner in the dock and to display to all other citizens present the power and the majesty of the offended law.

He pointed out that by refusing to plead and standing mute he was committing a most serious contempt of Court, the punishment for which at law was in the form of a penance, and was known as the *peine forte et dure*. This Sir Edward learnedly explained was expressed in three words, *onere*, *frigore*, *et fame*. The culprit was to be taken to the prison from whence he came and there to be laid on his back extended naked in an open place

near to the prison. Upon his body was to be placed as great a weight of iron as he could bear, which little by little was to be increased. And lastly he was to be preserved with the coarsest bread that could be got and water out of the next sink or puddle to the place of execution, and that day he had water he should have no bread, and that day he had bread he should have no water. In this torment he was to linger till he died or until he pleaded.

Sir Edward paused at the end of this sentence and again asked the prisoner to consider a while whether he would plead in proper form. But the pale-faced wretch in the dock shut his lips firmly and said not a word.

The dilemma was a more difficult affair for Coke than the prisoner knew. Torture was not popular in England, and Coke had no wish to be unpopular. Again, such a sentence, if it ended in the death of the prisoner, robbed Coke of the pleasure and profit and glory of conducting what he had grandiloquently termed his Great Oyer of Poisoning. Moreover, there was the King's attitude to consider. If there was delay in the matter the King might change his mind. He might send for the proofs against Weston and pardon him. As yet Coke was single-handed in the prosecution. The Attorney-General, his rival Bacon, had not appeared for the Crown, deeming it no doubt too early in the day openly to desert Somerset and throw in his interest with Villiers. Sir Lawrence Yelverton, the Solicitor-General, was an avowed creature of Somerset, and Coke believed that he had put up Weston to this abominable, stubborn behaviour, knowing what a serious obstacle it would be to the success of the prosecution.

But the Lord Chief was also a man of resource and not easily outwitted and set down. He openly declared in Court that "he was persuaded that Weston had been dealt withal by some great ones guilty of the same fact as accessory." Thereupon, although there was nothing for the Court to try, he called upon the Queen's Attorney,

Sir Lawrence Hyde, as the leading Counsel for the Crown, to manifest to the audience the guilt of Weston, and told him that " if in the declaration thereof they may meet with any great persons whatsoever, as certainly there were great ones confederate in that fact, he should boldly and faithfully open whatsoever was necessary."

Thereupon, although no evidence could as yet legally be put before the jury, since no issue was joined, and although the Earl and Countess were not even as yet charged with any crime, the Judge, to compass their ultimate destruction, permitted Sir Lawrence to pour out a case against absent citizens, in the belief that once this was published the King himself could not go back upon the prosecution, and the Great Oyer on which he had set his heart would take place.

Tactically it was a stroke of genius, and might be defended on the ground that Coke believed that unless he did something of the kind at the moment a wicked conspiracy to murder would go unpunished. Who can indeed be sure of any man's motives, even his own? And there was so much of greatness in Coke and his career that we may desire to assume he acted as he did from public rather than private ends, from a desire to do right and punish wrong rather than out of vanity and ambition. Be that as it may, the course he took was illegal and unjust, and made any honest trial of these delinquents according to the principles of English justice entirely impossible.

Lawrence Hyde, the Queen's Attorney, and Mr. Warr, an old Temple friend of Sir Thomas Overbury, had a chance to immortalise themselves in the hierarchy of English advocates had they asked the Judge to hesitate before he called upon them to step aside from the path of justice to gratify their personal spleen. But they were only too ready to dance like puppets to the tune the Judge had called.

Sir Lawrence rises with a smile of pleasure on his face to tell the public the story of these horrible crimes,

and, as the chronicler says, his "boldness was very observable." He at once charges the Countess of Somerset and the Earl as prime movers in the conspiracy. Mrs. Turner, who has not yet been tried, is the go-between and pay mistress of Weston, and he alludes to the Countess as "a dead and rotten branch which being lopped off, the noble tree would prosper the better."

The whole harangue is really a party attack on the Howards and Somerset by means of portions of Weston's alleged confessions, which are read along with Sir Thomas Overbury's letter to Rochester. The guilt of Weston is taken for granted, but the argument is directed against Somerset.

After this wild, irrelevant discourse by Sir Lawrence comes little Mr. Warr, his learned junior, who pleasantly but equally irrelevantly tells the jury how friendly he and Sir Thomas Overbury were in the old days in the Temple, and how much he used to delight in his singular honest and virtuous conversations, and how he can assure the gentlemen of the jury that Sir Thomas was addicted to no dishonest actions.

These speeches having been breathlessly enjoyed by the good citizens in the audience, Coke selects certain passages from the examinations he has taken to be read out by the Clerk of Arraigns, Mr. Fenshaw.

When this has been done the Lord Chief Justice vaingloriously declares that "he would discharge his duty first to God in giving all glory from the bringing to light of so horrible and wicked a fact; and next to the King, his great master." Then he informed his astonished audience what probably was not yet public knowledge; that His Majesty had committed the Earl of Somerset to the custody of Sir Oliver St. John, and had also committed the Countess to the custody of Alderman Jones.

Once again he turns to the prisoner in the hope that all this may have had an effect on the fellow's mind, but the pale, death-like face remains unmoved with

lips firmly closed, and the sheriff's jailers at a nod from the disappointed Judge, tap him on the shoulder and remove him to his doom.

The Court, it was noticed, did not dismiss the jury, but merely adjourned the case until Monday, October 23rd, at two o'clock in the afternoon.

Into the sun of the City streets the crowd pours out of the Guildhall, dazed with the strange horrors they have heard, eager to repeat them. The lawyers return to the Temple, the men of affairs flock to St. Paul's, the courtiers ride back to St. James's, the citizens gather in the taverns. There is no other topic of talk on the lips of men than the mystery of the Overbury murder, and an eager conflict rages round the guilt or innocence of the great Earl. But for the nonce the clash of tongues rages round the vital point of the moment: "Will Weston stand mute?" For if he does the public will be robbed of their entertainment and the drama of the Great Oyer of Poisoning will never be played out.

Chapter XXV: *The Trial of Richard Weston*

THE outcry over Coke's revelations reached far and wide. His conduct was generally condemned among his fellow-lawyers. Among the world at large the Puritans received the evidence of the vice and crime in high places with much complacency, and the Howard faction loudly proclaimed that the whole affair was a conspiracy against Somerset. He himself continued with a stout heart to declare his innocence.

The first excitement was as to whether Weston would continue to stand mute. The wretched man had, with considerable insight, complained to William Goare, the Sheriff who had him in charge, that he feared the law would make a net to catch little birds and let the great ones go. Weston had been persuaded by someone that standing mute was to be a very present help in time of trouble, but when he heard from the Chief Justice the legal incidents of it his mind was troubled.

Meanwhile, the schemes of the great ones were all upset by the stupid obstinacy of this clown. In nothing does the comic spirit reveal itself so pleasantly as in the ironic spectacle of lawyers spiked on their own quillets. Here was Coke's Great Oyer of Poisoning brought to an undignified check by a pig-headed wretch taking advantage of a rule of the game. If he stuck to his decision to remain mute and chose the appropriate form of death for that offence, instead of being hanged for murder, then the whole game was over.

This seems to the practical mind of James to be

utter nonsense, and he writes to Coke from Royston that if Weston continues obstinate he should be tried, condemned, and executed out of hand. Coke, however, for the present stands out for the law, advising James that "any interference with the course of law would bring scandal on His Majesty's justice," and that if Weston will not plead they must proceed to the *peine forte et dure*.

Meanwhile, the Bishops of London and Ely are sent to explain to the fellow that if he dies by torture resulting from obstinacy he will endanger his soul, but that if he is hanged according to law all may be well with him hereafter. Doubtless they did it eloquently and sympathetically and perhaps honestly—since who knows what a bishop may not bring himself to believe?—but it availed naught, and they reported to the King that Weston remained obstinate.

Coke underwent a strange wrestling with his legal conscience, unaided by episcopal support, and certainly Satan captured him. For we find on the very day he had made his protest to the King, though at a later hour, he writes to Winwood that he has made up his mind to proceed against Weston on the morrow, as his standing mute was equal to a confession, and that "to go to Court and do nothing would be so ridiculous that he cannot do it without express commands from His Majesty."

The *obiter dictum* of a Lord Chief Justice that it is better to do that which is illegal than to be ridiculous is worth remembering, and should be enshrined among the more precious pearls of wisdom that drop from the lips of my lords of the King's Bench.

Whether the poor wretch was moved by the exhortations of the bishops for the good of his soul, or the knowledge was conveyed to him that the legal gamesters were going to break their own rules and try him out of hand, or whether the sound of the workmen preparing tortures for him in the press-yard broke his spirit, we

cannot know for sure. Something wrought a change of mind in the rascal, and he made it known the night before the trial that he would put himself on his country without further demur.

When the good news reached Coke he was both comforted and triumphant. For now he could secure the conviction of Weston as principal in the murder without degrading his high office, and by this means the first step in the ultimate destruction of the Earl of Somerset was secure.

On Monday, October 23rd, the Guildhall was again packed to suffocation, and huge crowds filled the narrow City streets. No one but a few official persons knew as yet what course the prisoner would take. Richard Weston, pale and trembling, was put up at the bar before the judges.

Mr. Fenshaw, Clerk of Arraigns, declares unto him that he has pleaded not guilty and demands of him how he would be tried.

A tense silence fills the Court.

"By God and my country," replies the man in the dock in a clear voice.

A murmur of content ran through the Court. It was as though in a southern amphitheatre the spectators had been watching a sulky bull who at last had roused himself and shown that he was willing to be the sport of men. The crowded herd of men in the Court settled down to watch the baiting of the victim. My Lord Coke smiled benignly at him, and motioned Sir Lawrence Hyde to proceed.

The Great Oyer of Poisoning had begun.

Of course all the proceedings of Thursday were void and useless as evidence against the prisoner, and Coke directed that the trial should be begun *de novo*. Sir Lawrence Hyde made a new speech, once more attacking Somerset and his wife. Mr. Warr dwelt on the fact that Weston had been Mrs. Turner's servant before he went to the Tower, and after he left the Tower had

returned to her service. Then the Lord Chief Justice, having heard the Counsel open the case, and before the examinations were read to the jury, explained to them that in taking those examinations he had acted quietly and freely without menacing or rough usage, which the prisoner confessed. This excuse was perhaps necessary from the bench, since the gossip of the Temple whispered strange things of Coke's brutality and hectoring, and the world at large had not forgotten the misconduct of his foul tongue when he prosecuted Sir Walter Raleigh.

Then before the jury heard the evidence he laid down as matter of law that "albeit the poisoning in the indictment be said to be with Rosalgar, White Arsenick, and Mercury Sublimate, yet the jury were not to expect precise proof on that point." For he explained that a poisoner did not take any witnesses to the composing of his sibber sauces. All this was put forward because the judge well knew that the evidence went to show that the rosalgar and the tarts were not given to Overbury at all, and that the fatal clyster was administered, if at all, by Reeve, the boy in the service of Paul de la Bell, and not by Weston.

The witnesses were not examined *viva voce* as they are to-day, but their examinations which Coke had taken were read, although one or two witnesses whose depositions had not been taken went into the box and gave evidence in the ordinary way. There is no doubt that Weston in his various examinations admitted that he had received poisons from Mrs. Turner and had been told that they came from Lady Essex, as she then was, but he said Sir Gervase Helwys had discovered his intentions and prevented Overbury from receiving the tarts and jellies that were sent by Mrs. Turner.

The man had received £180 from Mrs. Turner, and was beyond doubt a murderer at heart, but there was no evidence that he had ever been in the pay of Somerset. On the contrary, although Coke tried to get some such confession from Weston, he denied that any of the

letters that he received from Somerset's servant to be delivered to Overbury contained any white powder in them or that he ever returned unused white powder to Somerset. This evidence of his became of great import when Somerset came to his trial.

Although the Crown case was normally in the hands of Sir Lawrence Hyde, it was Coke who decided what examinations and what parts of them should be read. Only a small portion of Sir Gervase Helwys's letter to the King, which Coke described as a confession, was read to the jury, and Coke drew their attention to the phrase " Shall I give it him now ? " which Weston used to Helwys, as proof that a plot existed between the two of them, and the only thing they were discussing was when it was to be carried out.

It seems obvious that Gervase Helwys's account of the matter, which we must consider later when we come to the trial of that unfortunate man, is in the main correct; for if Overbury had taken all the poisons referred to in the indictment he must have died soon after he entered the Tower.

Paul de la Bell, the apothecary, who on this point was treated as a witness of truth by Coke, declared that on July 3rd he made Sir Thomas Overbury a bath by Dr. Mayerne's advice to cool his body and that he saw his body very exceeding fair and clear. Now if this was true it negatived both the poisoning in May and that of July 1st.

Dr. Mayerne when the trials began had withdrawn himself from London to Bath to attend Her Majesty the Queen, but a Lord Chief Justice, who could summon the King's Minister from the royal presence, could have sent for Mayerne had he wished to do so. Why Mayerne's testimony was never sought nor tendered, and why Paul de la Bell was sometimes treated as a witness of truth, and sometimes as a party to the crime, but always as a man of doubtful honesty, are among the mysteries with which these trials are clouded.

However, all these examinations and depositions were put before the jury and Weston, poor wretch, muttered a few words to them, seemingly trying to excuse himself as having acted unawares or from ignorance. The Court handed him over to the jury, who retired together for a short space and returned with the required verdict that Weston was guilty of the felonious murdering and poisoning of Sir Thomas Overbury.

Coke thereupon once more threw himself into the limelight and delivered an oration he had carefully prepared under four heads. He started by piously observing " the finger of God in the manifestation and bringing to light of this matter, having slept two years, being shadowed with greatness, which cannot overcome the cry of the people." Never did this hardy old patriot lose a chance of reminding his audience of the " shadow of greatness " that was overwhelming the rights of the people.

It was some considerable time before Coke could turn his attention from his own personal and political affairs to Weston's little business. The Lord Chief Justice had to deal with the arguments of " certain criticks " in the Temple and elsewhere, who had condemned his procedure on Thursday morning. He makes the lame excuse that although the reading of the evidence was unusual " it was exceeding discreet and convenient that the world should receive some satisfaction in a cause of this nature "—strange doctrine to come from a lawyer and a judge.

Then he proceeded to deny, what was being publicly discussed in Paul's and elsewhere, that the whole business was got up to ruin Somerset and promote Villiers, though he named no names, but said that " as touching the supposed practice and conspiracy, he solemnly protested to God, he knew of none nor of any semblance or colour thereof; and therefore he much inveighed against the baseness and unworthiness of such as went about so untruly and wickedly to slander the course of justice."

Then he returned to the wretched man in the dock and offered him no vain hope of reprieve, reminding him—for he could not even at this most solemn hour refrain from insulting his political enemies—that " this poisoning was a popish trick," and then he urged him that he should spend his few remaining days in further " discovering the guiltiness of the great ones ; assuring him that after this life as death left him so judgment should find him," with which parting reminder he dismissed him to Tyburn.

But the world was by no means satisfied to part with the fellow without knowing more of his doings, and on October 25th a distinguished company assembled at Tyburn to hear his last words. The strange course of his trial, the indecent behaviour of Coke, and the unsatisfactory nature of the evidence made men wonder what truth there might be in his story and whether he had really confessed or not the crimes laid to his charge.

Many gentlemen therefore rode out to Tyburn, and among those that took up their places near the tree were Sir John Lidcote, Overbury's brother-in-law, Sir John Hollis, Sir William Monson, Sir Henry Vane, Sir John Wentworth, and others, some of whom were firm adherents of the Earl of Somerset. It cannot be supposed that Sir John Lidcote thought the verdict and sentence unjust, and not all these gentlemen had the same view of the guilt of the parties, but all were agreed that to hang this man, who, after all, was the chief witness implicating the Earl and Countess of Somerset, after a trial which proved little or nothing, was a thoroughly unsatisfactory proceeding, and it would be of some avail to hear what the man himself had to say about it in his last moments.

The poor wretch arrived in the cart with the Sheriff and his attendants and was drawn under the tree. Sir John Lidcote and his companions pushed their horses through the crowd to the side of the

cart as the hangman was putting the rope round Weston's neck.

"I ask you," cried Sir John, "did you poison Sir Thomas Overbury?"

Hollis, Wentworth, and some others pressed him with like questions.

The hangman stopped his grim business for a moment.

The miserable Weston turned to the Sheriff and murmured: "You promised I should not be troubled at this time."

Lidcote fell back, but Sir John Wentworth urged him to answer. "For then," he said, "I will readily pray with you."

But even this courtesy did not appeal to the wretch at the gates of death, who answered: "I die not unworthily, my Lord Chief Justice hath my mind under his hand and he is an honourable and just judge."

"Nay, but you should discharge your conscience and so satisfy the world," shouted Sir John Hollis, who did not hold my Lord Chief Justice in the same esteem as did his unhappy victim.

The Sheriff at this signalled to the hangman to proceed. The cart was drawn away. A sigh rose from the mob. The body dangled and twitched in the air for a few moments and all was over.

One man who knew the truth of the Overbury mystery was dead.

Chapter XXVI: *The Butterfly on the Wheel*

FAIR Mrs. Turner had been placed in the custody of Alderman Jones, and on October 3rd had been brought before Coke and confronted with Franklin and Weston, but nothing could be got out of her though no doubt Coke did his best to persuade her to some sort of confession. Nevertheless, she refused to say a word that could be of any use as evidence in the case, and positively denied that she had paid Weston £180 or had any dealings with Franklin, a conjurer and quack of a low type, whose wild stories to Coke were for the most part manifest lies.

Poor Anne Turner! One cannot but feel pity for this unhappy butterfly so soon to be broken on the wheel of the law. She was evidently entirely ignorant of the peril in which she stood. A dainty, delicate, pleasure-loving creature, she had served the great ones in their selfish dissipations and been a hanger-on of the power and luxury of the Howards who seemed to her small vision to have the conduct of the world. That any judge or lawyer could have dominion over her mistress and master was an idea that could not enter her feeble brain. She was still secure in their friendship and support; her trusting content in the power of her noble patrons was the real tragedy of the last scene of her life.

So certain was she that the trial she was to undergo was to be a mere overture to her return to her home and children, that on October 12th she sent in a humble petition to the Lord Chief Justice, complaining of the malicious and scandalous accusations of her suborned

adversaries and pointing out the extreme inconvenience, both from the point of view of her health and business, in being kept from access to her friends. Not only for herself does she beg for a speedy trial, but for her many poor fatherless children, who are in grief and distress for the lack of the comfort of a mother's care. If the speedy trial is not possible she suggests that she be set at liberty upon putting in sufficient bail to be at all times ready to appear before the Lord Chief Justice whensoever she shall be called for. One can almost see the grim smile which lights up the face of the old judge as he reads this pitiable prayer and takes up his pen from the table to write in the margin "Speedy trial" as granting her request.

No sooner has Weston's troublesome affair been brought to a wholesome conclusion than his Lordship proceeds to the speedy trial he has promised little Mrs. Turner. The date is fixed for November 7th, 1615, and this time the scene is laid at Westminster. The pretty lady bestows much time and care on her costume, and has especially designed for the captivation of the jury a bewitching hat to cover her golden hair. Moreover, she has a yellow ruff and cuffs, the starch of which she alone knew the secret, and it is said that the colour set off her charms to perfection. Thus equipped she set off with the alderman in his coach to Westminster as if on a holiday.

The Court is crowded to excess, and scaffolds with seats have been set up in the hall that as many as possible may see the pageant of justice which Coke has staged in the King's Bench. The beautiful widow stands radiant at the bar and bows prettily to the Court. Coke gazes sulkily at the hat, and whether he feared it might have a disturbing effect on the minds of the jury, or whether he did it merely to show his mastery, he growls out in a bullying spirit: "You are not in church now, madam, but must be uncovered." How far this was good law in the thirteenth year of James I, who shall say,

but the poor woman has, perforce, to remove her charming creation and cover her hair with a handkerchief.

The indictment is the same as in Weston's case, except that the woman is further charged with comforting and assisting Weston in his crimes. A jury of knights, esquires, and freeholders of Middlesex is empanelled and the woman pleads "Not guilty," in a clear voice, putting herself upon God and the country with manifest confidence.

And now Sir Lawrence Hyde opens the matter much to the same effect as he did in Weston's arraignment, and she hears for the first time the story of Overbury's murder and how she is alleged to be actor, art and part of the crime. Not content with the matter relevant to the actual poisoning, the Crown go back to the whole history of the intrigue between the Countess of Essex and Viscount Rochester, and the part played by Anne Turner and Dr. Forman in bewitching the Earl of Essex and procuring Rochester to love the Countess.

It must have seemed like a rehearsal of the day of judgment to the wretched woman who finds, to her blank dismay and astonishment, that the whole of her past, foolish, sinful life is known to these dry lawyers who can tell the jury in detail her love affairs with Sir Arthur Maynwaring and her conferences with the magicians and her dealings with Franklin and Weston. Sir Lawrence reads the letter which the Countess of Essex wrote to her "Sweet Turner," and the more damning epistle to Dr. Forman, the "Sweet Father" of "your affectionate loving daughter Frances Essex," with its postscript: "Give Turner warning of all things, but not the Lord; I would not have anything come out for fear of the Lord Treasurer, for so they may tell my father and fill their ears full of toys."

But Sir Lawrence has more wonders to disclose. He produces foul, obscene figures of men and women made in lead and the mould in brass by which they were formed, and a black scarf full of white crosses which,

he says, were found in the prisoner's house. There is also a model of a woman in wax, sumptuously arrayed in silks and satin, and another of a naked woman sitting in front of a looking glass tiring her hair. These, too, he will prove, belonged to the prisoner and were used in her sorceries. And as he lays these horrors on the table of the Court the jury gaze at them with terror and disgust, the prisoner shuts her eyes and turns pale with shame at the exposure of her lewd life, and the vulgar mob lean across the scaffolds eager to catch a glimpse of such foul exhibits.

And whilst these enchanted pictures and figures and strange parchments adorned with blasphemous signs are being set out, a loud crash is heard among the scaffolds, and a cloud of dust covers the end of the hall. The prisoner screams in terror. There is a cry that the Devil has come, in anger at his lures being shown to those who are not his scholars. This terror lasts for nigh a quarter of an hour, until the Lord Chief at length commands silence and the tipstaves move about the hall restoring order. Those injured by the falling scaffolds are gathered up and carried away and the din and riot are stopped, and once more the Queen's Attorney resumes his discourse and reads his examinations and calls his witnesses.

The poor woman is now in a state of terror. Like a frail bird in the net of the fowler she crouches down with fast-beating heart. The surprise of the exposure has stunned her. She stands dazed with horror, scarce understanding what is going forward. But little by little it dawns on her feeble mind that the great ones on whose support she relied are themselves in danger of the judgment. She learns for the first time that Weston has already undergone his trial and been sentenced and executed at Tyburn, and now she has to stand in hopeless despair and listen to an exact record of her own foul conversations with the magician Forman.

For Mrs. Forman is here, the jealous wife she used

to triumph over a few years ago. She listens to her tales of how she and the magician were closeted together whilst he prepared his philtres and spells. Parchments are now produced, with the names of devils written on and insults to the blessed Trinity, and one of these, which the prisoner is alleged to have carried about, is fastened with a piece of the dried skin of a man. The jury turn their eyes away from the table and gaze upon the crushed woman in the dock with disgust and hatred.

Mrs. Forman is an eager witness. She has hunted in her husband's trunks for evidence to revenge herself on the woman Turner, and here she hands in a book of the magician containing the names of his customers written on parchment in which you may find what ladies loved what lords in the Court.

My Lord Chief, however, warns Sir Lawrence that this requires careful handling and the book must be handed to him. When he has looked at it for a moment and turned over the leaves he closes it suddenly with a frown. He will not have it read. And there was much mirth in the Temple the next day when it was rumoured that the first name my Lord Coke lighted upon was that of his own lady.

The poor wretch in the dock hears these things without much understanding of their purport, and now the evidence is closed and the Lord Chief Justice addresses the jury. She looks up in hope that she may hear some word of pity for her, but his Lordship for a time ignores her case altogether and is at work on the greater task of the destruction of Somerset.

He details at length the evidence as it relates to the Earl and Countess and then assures them that Weston had confessed that all he had formerly said was true, and further related what a vexation and grief it had been to the King that Somerset only by making use of his favour and love caused such a foul thing to be done. Then he made an attack on Sir Thomas Monson for his barbarous courses, and at last he came to the prisoner's

case, which he left to the consideration of the jury in the following phraseology.

He told Mrs. Turner " that she had the seven deadly sins, viz. a whore, a bawd, a sorcerer, a witch, a papist, a felon, and a murderer, the daughter of the devil Forman ; wishing her to repent and to become a servant of Jesus Christ and to pray to him to cast out of her these seven devils."

The jury nod in unison seven times their approval of this pious discourse. The miserable woman weeps and asks the Lord Chief Justice to be good to her ; declares she was brought up with the Countess and had long been her servant and knew not that there was poison in any of those things sent to Sir Thomas Overbury.

The jury went forth and soon returned with a verdict of guilty. The woman stood in the dock weeping and in a state of collapse. Then Mr. Justice Crook made another grave speech exhorting her to repentance and to prepare herself ready for death, and that the little time which should be assigned to her to live she should not spend in either hope or in imagination to get life, for that hope was but a witch. Upon conclusion of which speech he gave judgment and told her she had had a very honourable trial by such men as he had not seen for one of her rank and quality. With this consolation she was handed over to the Sheriffs for execution.

But neither the public nor the lawyers were impressed with the honourable nature of the trial. Coke seemed to have excelled himself in his brutal speech to the jury ; and his abuse of the prisoner, even in those days, was widely remarked upon as at odds with the English ideas of justice.

Nor was the King impressed with Coke's methods of trial, for what he wanted was actual confessions of guilt which would satisfy popular opinion in the justice of the Courts. He therefore writes from Royston a

few days after he receives the report to respite Mrs. Turner's execution until Monday or Tuesday, that divines may have access to her to secure confession, and suggests that, rather than let her slip away into the Everlasting with her secret untold, even "priests might be secretly admitted if thought fit."

Chapter XXVII: *The Confessions of Mrs. Turner*

COKE was greatly enraged when he heard of the proceedings of Sir John Hollis and his friends at the execution of Weston. He sent for Lidcote, and having remonstrated with him, agreed at length to accept his apologies and use him as a witness against the others in proceedings to be taken in the Star Chamber for contempt of court.

This was the cue for the entrance of Bacon on to the stage. Up to now the Attorney-General had taken no part in the trials or examinations of the witnesses. Coke was his rival and had not offered him a part in the great work, and Mr. Attorney was still thought to be Somerset's man as far as any who knew him thought him to be any man's man but his own. Somerset had helped him to rise and at present it was not clear what the King's intentions were as regards his old favourite. But Bacon was watching the currents at the Court with keen attention and at the right moment intended to place his services at the disposal of Villiers and the King and destroy Somerset as he had destroyed Essex.

Bacon's handling of the Star Chamber proceedings was a fine piece of advocacy. He was now at the zenith of his powers. There is a breadth and moderation in his speech for the prosecution which is clear and forcible without any malice of exaggeration. It might have been delivered in our own day by Lord James of Hereford, who, to my mind, had the perfect style and method of the Attorney-General appearing for the Crown. His conduct of these proceedings is to be remembered when

Bacon's part unfolds itself in the later scenes of the drama.

On November 10th the court sat. It was well chosen to convict the accused. Archbishop Abbot, Secretary Winwood, the Earl of Pembroke, and Coke himself represented the Villiers party. Bacon administered a stinging rebuke to Coke's recent outburst against the Earl of Somerset. "Whose case," he said, "in no sort do I prejudge, being ignorant of the secrets of the cause but taking him as the law takes him hitherto for a suspect."

He told the court some few things that bear upon the Overbury mystery. These he must have got from Coke or someone in his employ. For he says that after conviction the wretched man Weston sent for Sir Thomas Overbury's father and falling down upon his knees, with great remorse and compunction, asked his forgiveness and afterwards of his own motion he asked to have his like prayer of forgiveness recommended to Sir Thomas's mother. Bacon asserts that on both these occasions out of the abundance of his heart Weston confessed that he was to die justly and that he was worthy of death.

And for the ruffling outfacing conduct of the defendants whose defence was that they wished to discharge their consciences and satisfy the world, Mr. Attorney is rightly scornful and exclaims in answer: "What world? I marvel! It was sure the world at Tyburn. For the world at Guildhall and the world at London was satisfied before; teste the bells that rang. But men have got a fashion nowadays that two or three busy-bodies will take upon them the name of the world and broach their own opinion as if it were a general opinion." Which remark seems to show us that our Jacobean ancestors were much as ourselves.

The case could, of course, have but one end and would not interest us but for the stray lights it throws on the mystery of Weston's case. Did Weston ever

convey poison to Overbury, or was it all thrown aside after the intervention of the lieutenant? Was Weston mover in the administration of the fatal clyster that the apothecary's boy is alleged to have administered?

Coke in sentencing the misdemeanants tells them that Weston's trouble about confessing to the indictment was because it alleged that he poisoned Overbury with arsenic, rosalgar, and mercury sublimate, "whereas indeed it was not known what poison killed him. Here the poor man conceived a scruple that if he did not know with which of the poisons Overbury was poisoned he was not guilty of the offence laid in the indictment."

Coke disposes of this point of law with considerable plausibility though there was more in it even in that day than he allowed. He then took occasion to assure the world that there was no conspiracy against Somerset in this business, and deprecated public discussion of great affairs, as rulers and their ministers have done and always will do world without end.

"Curse not the King," he cries, in a Biblical warning to the outer world, "curse not the King, no not in thy thought; and curse not the rich in thy bedchamber: for a bird of the air shall carry the voice, and that which hath wings shall tell the matter."

Truly there were a number of my Lord Chief Justice's winged spies who were secretly haunting the halls and taverns of the city, as many found to their disadvantage within the next few months.

The trials ended with heavy fines and imprisonment in the Tower. Coke had, as we know to-day, brought down a note of the appropriate sentences for each prisoner when he arrived to try them, and these sentences were duly awarded.

The Chief Justice was thoroughly satisfied with the day's work. The Great Oyer of Poisoning had got over its early troubles and was well on the high road to fame and success. For Weston was out of the way and could worry no one further with his vacillating contradictory

statements. The jury had convicted him as a principal in the affair, so no one could any longer take the point that no murder had been committed or that it had been committed by any but Weston.

As he took oars back to Serjeants' Inn where my Lord was wont to dine with his brethren of the coif he remembered the King's eager desire for a clear confession from Mrs. Turner. That matter had been handed over to the Reverend Dr. Whiting, a clergyman of great service to the judges and jailers, since he had a useful record of success in obtaining salutary confessions from miserable wretches awaiting the gallows, and was generally employed to attend their last moments, which he did with decency and discretion. Indeed, like the great Mr. Defoe of a later age, he was credited with the authorship of many an eloquent and pathetic last dying speech and confession. The Lord Chief therefore sent his clerk with a message to Dr. Whiting asking him to attend him at his chambers after dinner and report what progress they had made.

The documents in which the various confessions and examinations are set out do not inspire confidence. Those who have studied these records minutely tell us that nearly all the confessions of the prisoners are in the handwriting of the Lord Chief Justice, and that there are many alterations and interlineations. We find, for instance, that when the blackguard Franklin is telling one of his lying stories Coke writes that Franklin said of him : " God bless the Chief Justice ! For he is as honourable and worthy judge as ever sat in that place." Approbation from a scoundrel of this type, even if it were uttered, need not, one would think, have been recorded as praise even by Sir Edward Coke. But he was a man with no sense of humour, and in this Great Oyer of Poisoning had grown so swollen in his own esteem that his conduct of the affair became a byword among the members of his own profession and paved the way to his ultimate disgrace.

In spite of all his endeavours to injure Somerset, it is

remarkable that throughout these confessions made after the trials, not one word transpired of anything tending to show the participation of the Earl of Somerset in a plot to murder Overbury. Yet Coke and his man Friday, Dr. Whiting, left no stone unturned, short of actual dishonesty, to achieve their purpose. When Dr. Whiting reported his interviews with Mrs. Turner to the Lord Chief we fear he must have been seriously disappointed at the result. Dr. Whiting had worked hard but the wretched woman was more interested in her own terrible predicament than in providing evidence for her confessor's employer.

What had happened to her subsequent to her trial was this. She had been taken away by the sheriffs, after sentence was pronounced, to a quiet lodging, and there Dr. Whiting visited her on November 10th and 11th, for on the 14th she was to die.

On the first day he found the poor wretch in a state of collapse and as she was of the Roman faith she would have much preferred to have seen a priest rather than good Dr. Whiting. But though James had suggested this might be allowed, Coke was too bigoted to permit it, nor would he run the risk of allowing any but his henchman, Whiting, to go near the prisoner.

The poor woman was ready to confess herself to be a most vile and monstrous sinner, which she did with many sobs and tears. But this, though morally edifying, was not officially important.

"Why, my poor woman," said the reverend doctor, "all this is to no purpose. You must make an humble petition to me and particular confession of your sins."

The two were at tragic cross-purposes. The official divine was probing for confessions that would serve his master's political design against Somerset. The wretched woman was searching for comfort for her soul.

"Why should I confess?" she said, still sobbing. "Why should I confess to them that cannot give me absolution?"

"Say not that," replied the good divine, much shocked, "for upon your firm repentance and lively faith I can do it as much as any priest, yea, as much as the Pope himself."

Upon this, after much exhorting and pressing, she confessed that she knew of the poisoning of Sir Thomas Overbury, and kept it secret and denied it, but she added in great distress: "I would not hurt that lady that formed the plot, for she was as dear to me as my own soul," and at the thought of her she burst into a passion of weeping and lamentation.

She mentioned the Earl of Northampton's name, but nothing of any purpose was said about him, and indeed she could think of nothing but her own misery, crying out: "Now that I have confessed it where is the comfort?"

The Doctor hurried off, and having set down all this in his notes carried the same, as he was ordered, to the Lord Chief Justice, who was much disturbed at the poor results of his ministrations. He pointed out how far the confession fell short of what was required, for she neither implicated Somerset nor Sir Thomas Monson, and if he could not obtain something better they would have to consider the King's suggestion of sending a priest to her. On which Dr. Whiting reminded his patron that he was to go again the next day and hoped for better results.

And the next day she received the Communion at his hands, and the good man notes down that she then said: "I thank God and you for the comfort I have received from this good work of yours to-day; my conscience is much more eased than it was, and I would to God all the rest that be in my state would do the like, it would be far the better for them and their souls. I would to God I had known you sooner that I might have done you some good, for now, like an unhappy woman, I am not able to recompense you."

Seeing her in this fair frame of mind he says the

greatest recompense she can make him is to confess all the particulars of the affair and she tells him : " Franklin is so foul she hopes she might not die that day he died." But Franklin's villainy was too well known to the doctor to interest him, and he inquires if she met Monson in the business.

" Well," says she, " Sir Thomas Monson it was that preferred Weston to his post in the Tower."

" Ah ! " cried the Doctor, somewhat too eagerly perhaps, " then you can say what hand he had in the poisoning ? "

Upon this she burst into tears. " If you will have me say so I will, and Monson will be one of them that will say I go to the devil in respect that I say it after I have received the Communion ! "

" But you must have known who were in the plot ? " persisted the Doctor.

" If any were in it that I know it was the Lord Privy Seal."

An accusation against the late Earl of Northampton was of no service to Coke, his master, so Whiting continued to press her, and she confessed that she had given money to Weston but no such sum as he had mentioned. And then she uttered many rambling words which the careful Whiting set down, saying : " She heard say that the Prince was poisoned at Woodstock with a bunch of grapes," evidence that pleased Coke so greatly that he foolishly repeated it in Court to the great chagrin and wrath of the King, his master. She went on to say that as for " the Earl of Somerset he spoke so broad Scottish as she understood him not." Then turning to her tormentor cried out in despair : " Have you not enough against these already ? I would my death would discharge all theirs ! Lord that so many should have so hard a fortune ! " Then bursting into a torrent of tears and passion she cried : " O my Lady Somerset, woe worth the time that I ever knew her ! My love to them and to their greatness have brought

me to a dogges death. O the Court, the Court! God bless the King and send him better servants about him, for there is no religion in the most of them but malice, pride, whoredom, swearing, and rejoicing in the fall of others. It is so wicked a place as I wonder the earth did not open and swallow it up."

All these ramblings did Dr. Whiting instantly write with his own hand, but the poor woman was too distraught and too much in fear of judgment to feed him with the lies that Franklin uttered so glibly, and would only generalise on the wickedness of the world, saying: "It is a bad, wicked, and damnable world, but if you live, Mr. Doctor, you shall see it worse." With which unhappy prophecy he took himself and his confessions back to his master in the Temple.

On Tuesday, November 14th, the Sheriffs carried Mrs. Turner in a coach to Newgate, and there she was put into a cart and with her travelled the good doctor to give her what comfort he could and pick up any last whispers of confession that might fall from her dying lips. And they made the old sad journey to Tyburn, she casting money often among the people as she went. Many ladies and gentlemen of fashion came to see her die, some in their coaches, some on horseback, and there was a great concourse of the common people, all of whom were greatly impressed by her piety and penitence.

There is no truth in the old story that Coke ordered her to be executed in the yellow ruff she had made the fashion and so proudly worn in court. What did happen, according to Sir Simonds D'Ewes, was that the hangman, a coarse ruffian with a distorted sense of humour, dressed himself in bands and cuffs of yellow colour, but no one heeded his ribaldry, only in after days none of either sex used the yellow starch and the fashion grew generally to be detested.

Good Mr. Castle, who was present at the execution, writes to his friends in Southampton: "That if detesta-

tion of painted pride, lust, malice, powdered hair, yellow bands, and the rest of the wardrobe of court vanities; if deep sighs, tears, confessions, ejaculations of the soul, admonitions of all sorts of people to make God and an unspotted conscience always our friends; if the protestation of faith and hope to be washed by the same Saviour and by the like mercies that Mary Magdalene was, be signs and demonstrations of a blessed penitent, then I will tell you that this poor broken woman went *a cruce ad gloriam* and now enjoys the presence of her and our Redeemer."

I take it from this, and from the numerous accounts that remain of the pity and grief to which her speeches moved the listening crowds, that Dr. Whiting had written for her one of his most successful efforts, and that the sympathy of the mob and the innate vanity of the woman enabled her to read it with effect.

Richard Niccols, the poet, who was at her execution, was more impressed by her beauty than her crime. The crystal eye beneath an ivory brow, the snow-white nimble hand, the locks like golden thread and grief's pearly drops upon her pale cheeks, moved his heart to compassion and his pen to eloquent lamentation.

No one can read her vain, foolish story with its tragic ending without a tear of pity. She was but a butterfly broken on the wheel and the crushing of her life brought the cabal no nearer to their end—the destruction of Somerset. The King and all good Protestants hated her more for her papistry than her sinfulness, and His Majesty took great exception to the rumour that reached the Court that her poor strangled corpse had been allowed Christian burial.

The careful and correct Lord Chief is able to set at rest the mind of the Defender of the Faith on this point, writing that "the report that Mrs. Turner was buried with Christian solemnities is false, but on account of her penitent death she was laid in St. Martin's Churchyard."

That, no doubt, is what Coke was told, but I think

well enough of the good Doctor Whiting to believe that he had sufficient Christian charity and professional pride to do his duty to his poor penitent who had read his last speech with so great effect, and that he and Mr. Castle were both at the graveside that November evening, where the latter tells us her body was taken by one Norton, servant to the Prince, and conveyed in a coach to St. Martin's of the Fields where she had an honest and decent burial.

Chapter XXVIII: *The Martyrdom of Gervase Helwys*

THE sad fate of Sir Gervase Helwys is a sermon on the text: "Accept no person against thy soul, and let not the reverence of any man cause thee to fall." Never was a faithful man more sinned against by selfish patrons.

He had been the weak tool of the late Earl of Northampton, and now his protector was gone and the ruin of Frances Howard and the destruction of Somerset were ordained by Villiers and the King, his death was necessary to their plans and his doom was decreed.

The trial of Sir Gervase took place on November 16th at the Guildhall. Why Mrs. Turner was dignified with a trial at Bar in the King's Bench at Westminster and Sir Gervase was brought to the City Court does not appear, but, like Weston, his trial took place at the Guildhall before Sir Edward Coke and the same Commissioners. The evidence against Sir Gervase consisted of letters written by Northampton to Rochester and the statements of Weston. The Crown laid great stress on Weston's admission, that soon after his arrival at the Tower he went up to the lieutenant with some poison and said, "Sir, shall I give it him now?" But they had necessarily to slur the continuation of the examination which proved that Helwys stopped Weston from carrying out his designs and sought to protect his prisoner.

There was another letter also given in evidence written by Helwys to Northampton. It is worth reading at length, for though some may regard it as testimony that Helwys and Northampton were acting together in a

plot to poison, others will see in it nothing more than an endeavour by Helwys to sound Overbury as to whether he will support the nullity proceedings and the marriage in case he obtains his release. It is interesting, too, as showing that at this time poor Overbury regarded Northampton as his chief enemy rather than his patron Rochester.

"My special good Lord," writes Sir Gervase, "having undertook my prisoner, according to your instructions, after long silence, as standing betwixt hope and fear, he takes his Bible, and after he had read upon it, laid it by, and protested his innocency. Afterward upon further conference concerning the Countess, he said, that he had justified her already. 'But for myself, alas,' quoth he, 'what will they do with me?'

"I answered, 'So reason you as you shall make no question hereafter of your pureness.'

"And I left him in some sense to work upon him. As I was going he concluded that in the generality she was so worthy, that she might be a wife in particular for my Lord of Rochester, he would not say it lest my Lord should condemn him for weighing his worth. At my next coming to him, I found him not in sense, but in fury. He let fly at you, but was respective to my Lord of Rochester, whose part he took altogether. I see the event; I desire it may be safely carried, what my service may do in this or anything else I will be faithful to your Lordship, and so I rest

Yours,

"Gervase Helwys."

The evidence against Sir Gervase was not strong, and he was a man of education well able to give a good account of himself. His address to the jury is a very cogent one, and had he had a fair trial he would probably have obtained an acquittal. But however well deserved his opening rebuke to the Lord Chief Justice may have sounded in the ears of the audience it was of a certainty

wanting in tact and did not tend to make his grim enemy the less eager for his destruction.

"My Lord," he begins, "before I answer to the matter of charge against me, let me remember your lordship of one speech which I learned from your mouth. I have heard you speak it at the Council table and you have delivered it at the assizes in the country: That when a prisoner stands at the bar for his life, comfortless, allowed no counsel, but strong counsel against him, perchance affrighted with the fear of death, his wife and children to be cast forth out of doors and made to seek their bread; you have always pitied the cause of such a one: you have protested you had rather hang in hell for mercy to such a one than for judgment. My Lord, you have not observed your own rule in my cause; you have paraphrased upon every examination, you have aggravated every evidence and applied it to me so that I stand clearly condemned before I be found guilty."

The Lord Chief Justice made no retort, but pressed his hand on the pocket of his robe, and feeling a paper therein nodded gravely to counsel to continue with the heads of the accusations to which Helwys made his answer one by one.

As to Weston he told the jury how he took him from my Lord of Northampton and Sir Thomas Monson, and how when he found his intention was to poison Overbury he terrified him with God and judgments. As he could not get rid of this servant of the great ministers and friends of the King who had sent Overbury to the Tower, he had watched Weston and shown him kindness that he might encourage him to walk in honest paths and abhor his former wicked plans.

As for the tarts and jellies sent by the Countess with "letters" in them, a word which the prosecution translated by "poison," the lieutenant declared strongly that he knew no other meaning for her words than the bare literal meaning, and indeed she herself never con-

fessed that "letters" had any sinister meaning, though Coke sought to force her to make some such admission.

The Earl of Northampton's letter to him, he averred, was merely instruction to keep Overbury in close captivity, and to prevent him sending out libels about Frances Howard and the proposed marriage, which he understood the King favoured, and that it was to hinder Overbury from spoiling their plans that he was placed in the Tower under his care.

He referred to his full, free, and voluntary confession to His Majesty of all that had happened, and said the only plot he was privy to was a plot, if so it could be called, to repair the honour of Frances Howard and promote her marriage with Somerset, and in this he confessed he had acted as Northampton's servant and the servant of my Lord Treasurer the Earl of Suffolk.

Then he put a case to the Lord Chief Justice, which was this: "If one that knoweth not of any plot to poison a man, but only suspecteth, is no actor or contriver himself but only imagineth such a thing, whether such a one be accessory to the murder, for the words of the indictment are abetting and comforting with malice."

This was the sum of his speech, and the sense and dignity of it greatly impressed the jury and all those in Court, so that a hum of approval ran through the audience as Sir Gervase bowed to the Court at the close of his address.

But Coke was ready and waiting for him, picked up his cue with ready glee, and began a tirade against him without more ado.

"Let me remember you, sir," he shouted, "how you sent for Sir Thomas Overbury's servant two days before he died and willed him to bring his best suit of hangings to hang his chamber which you knew were your fees."

Whether this was true or false who can say, but at all events it was a shrewd stroke to fling it at the jury when no further evidence could be called. Nor did my

Lord end there. For, firstly, he reproved the prisoner for his malicious words about my Lord Treasurer, Frances Howard's father, for he was an honourable gentleman, not suspect of any wrongdoing. Moreover, he was Lord Treasurer, and still a powerful officer of the King.

But this was Coke's master-stroke in his conduct of the trial. For now he drew from his pocket and waved triumphantly at the prisoner a deposition of that notorious liar, Franklin.

"This poor man," says my Lord to the jury, in tones of grave compassion,—"this poor man, not knowing Sir Gervase should come to his trial this morning, he came unto me at five o'clock and told me that he was much troubled in his conscience and could not rest all this night until he had made his confession. And, gentlemen," added my Lord in solemn tones, "it is such a one as the eye of England never saw nor the ear of Christendom never heard."

Up to this moment, "all men who had brought thither indifferent ears," as Mr. John Castle says, who was present at this trial, not only wished poor Helwys to prove his innocency, but believed that he had done so and that the conclusion should have been as they hoped. But old Coke was not the man to let a prisoner slip through his fingers for want of evidence or from any delicacy or respect for justice in the user of it.

Franklin was a cyclopædia of allegations of poisoning and witchcraft and was ever ready to supply his patron Coke with details of evil doing by anyone against whom evidence was wanted. It was clever of the Lord Chief Justice to send for this wretch on the eve of the trial and pump out of him or into him some testimony that would secure the conviction of the prisoner. One cannot but admire Coke's pertinacious industry in the work he had undertaken.

Franklin declared that the lieutenant knew of the poisons that he brought to Mrs. Turner, and there were seven, to wit, "aqua fortis, white arsenick, mercury,

powder of diamonds, lapis costitus, great spiders, and cantharides"; that the lieutenant wrote many letters to the Countess of Essex, "which I saw and one of them I read for the Countess because she could not read it herself in which the lieutenant used this speech: 'Madam, the scab is like the fox, the more he is cursed the better he fareth.'"

There was a deal more of gross charges against all the servants of the Countess, who were said to have full knowledge of the poisoning, and how Franklin had bewitched Rochester for her, and had £200, with many wild tales which he afterwards denied. But for the moment his evidence played its part and ended the drama as far as poor Helwys was concerned.

The prisoner was taken by surprise, the illiterate jury impressed by the theatrical production of Franklin's examination, and both jury and audience were horror-struck at the shocking tales of depravity, poisoning, adultery, and witchcraft which Franklin narrated with much apparent sincerity and in vivid detail. The jury were not long absent and the case ended as the others had done.

On Monday, November 20th, 1615, the third of Coke's Hctims came to his doom as the dawn rose on Tower viill. Sir Gervase was carefully dressed, wearing a black suit and black jerkin with hanging sleeves, a crimson satin laced hat, a pair of sky-coloured silk stockings, and a pair of three-soled shoes. He stood talking with the executioner at the foot of the ladder, and then went up four or five steps and found it was too upright for his ease, so this was altered, and he went up some six steps, and then sitting more easily opened his mind to the conclave whilst the executioner sat on the top of the gibbet waiting for his cue.

He spoke gratefully of the King's kindness in not bringing him to Tyburn, and blamed the Earl of Northampton and Sir Thomas Monson for luring him into the affair and admonished his hearers: "Let none

how honourable soever he be, or the King himself, move you to anything not agreeable to God's word. Reject it. For this was my fault that I had not at the first opened this plot to His Majesty who no doubt would most justly and righteously have punished the source."

He made many sad and modest allusions to his sins, confessing he had been a great gamester, especially at the houses across the river, where he had wasted many sums of money.

Then he espied his old friend Sir Maximilian Dallison sitting on horseback near the gibbet.

" You know," he said, turning to him, " what gaming we have had, how we have turned days into nights and nights into days."

At which Sir Maximilian hung his head, murmuring, " Aye ! Aye, it is so."

" I pray you then, my friend, leave it off and dishonour God no more by breaking his Sabbaths, for He hath always enough to punish, as you now see me, who little thought to die thus."

" Sir Gervase," said Sir Maximilian, with tears in his throat, " I am much grieved for you and I shall never forget what you have here said."

" Well, look to it, old friend, look to it," he replied solemnly.

Then he spoke modestly in defence of the truth and sincerity of his religion and that of his wife, and asked for the prayers and pity of his hearers for his widow and eight fatherless children. Then, having parted with his cloak and his gold and silver to his servants who stood near weeping bitter tears, and the executioner having adjusted the rope, he signed to the ministers to pray. Dr. Whiting and Dr. Felton strained courtesies as to who should begin a public prayer. Each willed the other, so then there was a pause, and Dr. Whiting observed it were better perhaps that Sir Gervase should perform it himself.

The poor man with a wan smile said : " I will do my best, but I can only utter half words and broken speeches, for truly I chatter like a crane."

Then he covered his face with his hands and made a silent prayer, and opening his face a little called out farewell and asked all to pray with him that instant. Then covering his face again he called upon the name of God and threw himself boldly from the ladder into eternity.

And, far away in Cambridge at St. John's College, as was afterwards discovered and recorded, a silver bowl which Sir Gervase had given to his fellow commoners fell from its shelf and was broken to pieces at the same minute and hour that its giver fell from the ladder on Tower Hill.

Chapter XXIX. *The Quality of Justice*

HOWEVER you may admire Coke as a lawyer, a politician, or a patriot, his record at the bar and on the bench justifies Macaulay's judgment that he was not a gentleman. And unless a human being has by instinct the qualities we associate with that much-abused word it is nearly impossible that he can execute justice or indeed understand the essence of it. Justice discarding party, friendship, and kindred is represented as blind, but Coke was blind to everything but the prejudices of his politics and his faith and the quality of justice was not in him.

If a judge is ever so little carried away with the burden of bias he must fail in his office, and it requires even in the greatest of men watchful steadfastness to keep in the right track. Where a judge exhibits prejudice it is an invitation to the rascal to use the man in ermine as his stalking horse and fool him to the top of his bent. And this was the part for which James Franklin cast himself in the Overbury drama. He found that Coke had a voracious appetite for popish plots, wild scandals, and unimaginable infamies, and he fed him with silly fables relating to the poisoning of Prince Henry and strange Spanish intrigues which Coke used to his own undoing.

The man Franklin was a quack and a conjurer and lived in the underworld of magic and medicine. Coke, who made use of his examinations to destroy his victims, had no hesitation in speaking of him as a physician, but there does not seem any evidence to show that he had any sort of learning or qualification in the science of medicine. As to knowledge of poisons he seems to have

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gone to a chirurgeon to make inquiry as to their names and properties, so ignorant was he of their use and nature.

But the man who could dupe Coke could easily deceive the wicked, silly women who came to ask his advice about slow poisons and philtres. This thrasonical braggart, with his crooked back and swarthy features, was just the fellow to talk mysteriously of powder of diamonds and great spiders and slow poisons and potions that would move men to the love of women. No one reading the criss-cross tales that he tells can hesitate to come to the conclusion that he was a liar, but he told lies with circumstance, and lies his employers wanted to hear. But even a liar tells truth on occasion and one is bound to admit that he probably received money from Mrs. Turner and the Countess of Essex for the supply of poison, though what he actually delivered to them is by no means certain. Probably he supplied arsenic at one time, for there seems evidence that one of his powders was tried on a cat that died.

To please Coke, he brought the Earl of Somerset into his stories. At one time he had seen a letter from him, at another twenty letters, at another he had heard one letter read which he believed was the Earl's. He had also seen a man he believed was the Earl when he went to visit the Countess of Essex. But, in fact, little that the man says is of the least purpose in discovering the truth about the Overbury case, and no modern prosecutor having read his contradictory statements and investigated his history and character would have used him as evidence against the meanest prisoner in the dock.

After the destruction of poor Gervase Helwys, Coke himself had no further use for him, so the wretch is taken down to the King's Bench at Westminster. He stuck at no calumny in hope of a reprieve. He even brought wild charges against Frances Howard's father and mother, the Earl and Countess of Suffolk, charging the latter with advancing £500 and £200 to finance the poisoning of Overbury. This was a wicked falsehood.

Even Coke rejected the story. The rogue had come to the end of his tether.

But one little thing he said to Dr. Whiting in a last interview with that good divine is not without interest, for it could not have saved him, and was possibly within his own knowledge. He told him " that the man was not known that gave Overbury the clyster and that it was that did the deed."

If Weston had administered the clyster Franklin must have known of it. We know that it was probably the apothecary's boy, Reeve, employed by Paul de la Bell. But who instigated him he never confessed. For what it is worth, however, Franklin's last statement should be recorded as it concurs with Weston's own story.

We find, too, that Franklin vapoured to Coke about the King's " outlandish physician and his outlandish apothecary," by whom he meant the great Dr. Mayerne and Paul de la Bell, and he reminded Coke that they had attended the late Prince, but here he broke off, saying, " Therein lyeth a long tale," and had Coke given him another week's life, he would no doubt have told him a tale.

Had Coke really wished to arrive at the truth about Overbury's death he must long ago have examined Dr. Mayerne and Dr. Craig, the King's doctors. Either they would or would not have testified that when they saw Overbury he was, as Paul de la Bell said, dying of consumption. But that might have rung down the curtain on the Great Oyer of Poisoning.

So having now edited and filed for reference his victim's last confession Coke hands him over to the executioner and hesuffers at Tyburn on Wednesday morning, November 29th. After the fashion of such vain criminals he makes a very edifying end, kissing the gallows, and putting the halter about his own neck and calmly holding up his hands as a signal for the cart to be driven away.

Coke, after Franklin's conviction, had the same evening written a long letter to the King, in which he

claims to have discovered sufficient matter to proceed against the Earl of Somerset and the Countess and announces that he proposes to bring Sir Thomas Monson to trial without delay.

The King, though he was a coward and may have been scared, was no fool, and when he had read the various depositions of Franklin, came to the conclusion, which nearly everyone but Coke had arrived at about the man, that he was utterly unworthy of belief. Moreover, these rumours about the Lord Treasurer and his wife and the trial of his friend, Sir Thomas Monson, and the arrest of Sir Robert Cotton which Coke had authorised, began to trouble the King gravely; for he did not see where the thing would end. The revival of the rumours about Prince Henry's death made him very wroth with Coke. The business was long forgotten. The King knew his own innocence and rightly believed in the innocence of his physician, Mayerne, and of Somerset. There had been an autopsy, the doctors had pronounced it a natural death, and for this blundering fool Coke to rouse up the suspicious story again on the vapourings of Franklin struck at James's own peace and safety.

The King was at this time at Newmarket, and one evening when the cards were called for and they were playing at maw the King said: "To-morrow comes Tom Monson to his trial."

"Yes," said the King's card-holder, "where if he does not play his master-prize, your Majesty shall never trust me."

It was not said idly, for Monson was a favourite with them all, from the King downwards, as he played a good game of cards, was a man of much learning and skill in the manage of hawks and hounds, and a great patron of singers and musicians. Such a man could not be easily spared from a Court where sport and pleasure were the only politics.

The courtier's speech so ran in the King's head that

when the cards were dealt for the next set His Majesty rose from the table saying he was sleepy and would play out the set next night. So they all departed and the bold gentleman who had spoken of Tom Monson went to his lodging.

A little later on, the King sent for him, and what passed this gentleman would never relate, but the King wrote a short despatch to my Lord Chief Justice and a messenger was sent post-haste to London so that it arrived at my Lord's chambers in the Temple in the early morning before he set out to the trial of Sir Thomas Monson at the Guildhall.

The purport of the message was soon made clear. Coke was in a towering rage at the King's letter, but great and powerful as he deemed himself to be, he knew at least this about James, his master, that if anyone directly disobeyed his command he was seeking destruction. After all Overbury had gone to the Tower for an act of disobedience to the King, and as Coke drove in his coach to the Guildhall he pondered over the affair and concluded that the King must, at all events outwardly, have his way.

Still the old lawyer was not going to take his hand from the plough willingly. He had thoroughly enjoyed himself wallowing in conferences, examinations, and sensational trials. He delighted to sniff up the incense of adulation humbly offered by good Dr. Whiting and his victims, and had come firmly to believe that he was a born inquisitor and investigator who had unearthed evidence of a wonderful and terrible plot.

James, from whom he had up to now kept back the actual proofs in the cases, began to have a shrewd suspicion that his Lord Chief Justice was a somewhat credulous ass and strongly resented his allusions to the murder of his son. At all events he made up his mind that at least for the present he would respite his old friend and companion, Thomas Monson, from the clutches of this hungry prosecutor.

There was a great assembly. The Court opened in the same crowded state of excitement as before, for here at last was one of the greater birds in the dock and the populace expected to be diverted by stories of the naughty behaviour of the leaders of fashion at Whitehall. Sir Thomas clearly and courageously pleaded "Not guilty," and declared to be tried by God and his country. Then before Sir Edward Coke could start an address he made two demands, one that the Lord Treasurer should be summoned as a witness that he might ask him questions, the other that Sir Robert Cotton, the famous antiquarian, who had been arrested as a friend of Somerset, might also be produced for examination.

The Lord Chief Justice waved him away in disgust, and began an ill-prepared harangue with half-concealed contemptuous allusions to the King's high sense of justice, and a sneer at the royal kindness shown to Monson in his arrest and imprisonment and a guarded reference to the King's refusal to let him search Monson's house.

"I never knew the like favour," said the angry judge, "nor do I like it so well, but do declare it as a gentle procedure from the King. For other things I dare not discover secrets; but though there was no house searched yet such letters were produced which makes our deliverance as great as any that happened to the children of Israel."

The Lord Chief Justice, having harrowed the minds of the citizens who thronged the Court, now announced, to their disappointment, that the proceedings would be adjourned, and read a letter from the Lord Treasurer saying he could give no evidence for or against Sir Thomas Monson. Whereupon Monson said he by no means accused the Lord Treasurer of anything, nor did he calumniate him, "but I desire to have an answer from him to my question."

"You shall hear more of that," sneered my Lord, "when the time serveth."

"I hope it may be so," replied Monson boldly.

"And look you here, Sir Thomas," continued my Lord warningly. "Remember what Joshua bade Achan, 'My son, acknowledge thy sin and give glory to God.'"

"If I be guilty," said Monson loudly, looking round to the crowd, "I renounce the King's mercy and God's; I am innocent!"

"There is more against you than you know of. God knows what became of that sweet babe, Prince Henry, but I know somewhat."

A shudder of horror ran through the crowd at the solemn emphasis with which these words were uttered. Little did the reckless judge think that in them he had uttered the sentence of his own disgrace.

"If I be guilty," said Monson scornfully, "it is of that I know not."

"You are popish!" shouted the Lord Chief, and pointing to the dock in which Monson stood he growled out at him: "That pulpit was the pulpit where Henry Garnet died and the lieutenant stood once as firmly as you do now. I am not superstitious but we will have another pulpit."

There were some who laughed at the old man's humour, but Monson never quailed.

Then Mr. Justice Doderidge fell on him, telling him it was an atheist's word to renounce mercy and at least they would change his lodgings and send him to the Tower.

The ineffective Hyde, who held the brief for the prosecution, with perhaps an instinct that this was his last appearance in the drama, piped out: "I have looked into this business and I protest, my Lord, he is as guilty as the guiltiest," and, turning to the prisoner, he said, "If I do not prove you as guilty of the death of Sir Thomas Overbury as Weston was, I will never be seen to speak at any bar more."

But Monson had the last word, waiting until these learned railers had finished wasting their breath, and, holding up his hand, declared: "There was never a

man more innocent than I; in this I will die innocent."

Then the yeomen of His Majesty's guard, who attended for that purpose, carried him off to the Tower, and Coke, knowing his prisoner was ill, and hearing the rain pouring on the roof of the hall, commanded he should be made to walk through the streets in ignominy. But the yeomen, with whom Sir Thomas was well liked, for they had served under him at the Tower, waited awhile with their prisoner at the Guildhall until the Lord Chief had driven away to Serjeants' Inn and then found him a coach to the Tower, so that he travelled there in comfort.

The luck of the cards was ever with Tom Monson, and later on he was set free.

From this moment the Lord Chief Justice was out of favour and his part in the Great Oyer was assigned to a wiser, if less honest, person, Francis Bacon. The trials of the Earl and Countess of Somerset seemed indefinitely postponed, and the populace were heard to murmur in the taverns that Weston had the gift of prophecy when he said that the net of the law would enmesh the little birds only and let the great ones escape. But, after all, the citizens had enjoyed the melodrama of Coke's trials and the tingling thrills aroused by his prophecies of woe, for the herd loves the quality of justice that hunts the quarry with cruelty and noise.

Chapter XXX: *Mr. Attorney Supersedes Coke*

THAT Francis Bacon, philosopher, was a man of wisdom and high ideals goes without saying. But we, who are interested in the Overbury mystery, have only to deal with Francis Bacon, man of the world, and architect of his own fortune. Bacon's political career was a thing of intrigue and chicane. His boundless ambition, long thwarted by Coke and his party, his love of magnificence, his lust for power, prompted him to make the fall of Somerset a stepping-stone to the legal throne. Coke, the Huddler, as he called him, was to be huddled off the stage that Bacon might have the reversion of the Chancellorship. As he had been Essex's man and deserted him, so, in a lesser degree, he had been Somerset's man, and was thinking of deserting him. "Mean men must adhere" was one of his maxims, but the meanness of adhering never troubled him when it was necessary to his plans, and he was now making up his mind to adhere to Villiers as soon as it was certain that Villiers adhered successfully to the King.

Early in 1616 the King added Bacon's name to the Commission to inquire into the guilt of Somerset, and from this time onwards Coke, though he continues to examine pastrycooks and menials and note down foolish gossip about the mysterious bunch of grapes that had poisoned poor Prince Henry, plays no real part in the trials of the Earl and Countess of Somerset.

The Earl had first been placed in open arrest with Sir Oliver St. John at the Dean of Westminster's house,

but by now had been taken to the Tower. The unfortunate Countess was nearing the time of her confinement. She was placed in the care of Sir William Smithe at the Cockpit, but was afterwards moved to a house in Blackfriars. The poor woman was indeed in terrible distress. Mrs. Turner had declared to Dr. Whiting that she intended to destroy herself and her child. But Smithe said that he did not believe she contemplated such a crime, as she had said to him: "If I were rid of my burden it is my death that is looked for and my death they shall have." She was ready to expiate her sin with her own death on the scaffold, but she did not harbour the thought of destroying her child.

The King provided her with special nurses and attendants, and her daughter was born on December 9th and the wretched mother was permitted to remain with her child until March 27th when she, too, was sent to join her husband in the Tower, there to await her trial. They would have placed her in the room where Overbury died, but that she begged with tears and shrieks to be taken anywhere but there, and Sir George More, the new lieutenant, moved to mercy by her terrors, cleared out the belongings of Sir Walter Raleigh, who had been released to prepare for his last disastrous voyage to the Orinoco, and permitted her the use of his late quarters.

Bacon was always cautious to make certain that a new sun had really risen before he worshipped, and he was equally careful to make sure that an old sun had really set before he turned his back upon it. As an old writer says: "He sucked in experience with his milk, being inured to policy as early as to his grammar." James thought and said that all his lawyers were knaves, but Bacon was, of course, something far greater than a knave, though he could stoop as low as James himself to succeed in his selfish ambitions. At this moment his ambition was to be Lord Chancellor. Egerton Lord Ellesmere was an old man of seventy-six, failing in health, and Bacon was attending him assiduously, watching his

downward steps to the grave out of his viper's eyes, but with a face of outward sympathy and sorrow. How far he would have interested himself as yet in young Villiers or thrown himself into the uncongenial task of prosecuting his former patron, the Earl of Somerset, but for the fact that there was a pending vacancy on the Woolsack, no one can say for sure. But with such a site to build on, the architect of his own fortune had no choice but to prepare his plans.

The Commissioners were sitting in the Star Chamber one January afternoon discussing the course to be taken over Somerset's matter. Coke, as usual, was reading out some new tales of witchcraft he had discovered. The peers listened with reluctant respect. The Lord Chancellor dozed and nodded his head, and Mr. Attorney made notes with his quill of other matters that he was bringing forward. One of the witnesses had mentioned Sir John Roper's name as a possible victim.

"Well, he is out of it," remarked the Attorney-General, "for I heard of his death three weeks since."

"If that be so, who shall have his patent office that was granted in reversion to the Earl of Somerset?" asked Lord Zouch.

Coke laid down his writings. When it came to a matter of place and patents and pelf Coke was as keen as the rest to discuss the affair.

"There will be a struggle as usual," said the Lord Chancellor, "as to whether it be in the King's gift."

"Somerset's reversions are Villiers' now, I take it," said one of the lords, with a knowing look round.

"Is that the law, chief?" asked Bacon maliciously, with a merry laugh.

The old man shook his head. "No, Mr. Attorney, I will not wrastle now in my latter times."

He was not to be drawn to argument and indiscretion, and it was not Bacon's cue to bait him too hard, so he nodded approval, saying: "My Lord, you speak like a wise man."

"Well," replied Coke angrily, "they have had no luck with the place that have had it."

"But those days are past," said Mr. Attorney, "and our young friend, Sir George, will live long to enjoy it."

"Let us pray it be so," said the Chancellor.

The subject dropped, and they turned to discuss the destruction of the King's old favourite, which was the business in hand.

At the close of every sitting Bacon was wont to report at length to the King on the steps to be taken, and never did he fail to send by the same messenger a merry note of gossip to his new patron, Sir George Villiers, whose true and devoted servant he now was, and through whose interest with the King he hoped to move into the Lord Chancellor's shoes as a reward for the destruction of Somerset.

How Bacon had so rapidly attached himself to Sir George is not known. His position would make it easy for him to ingratiate himself with a young man as yet feeling his way warily along the slippery paths of royal favour. One may believe, if one wishes to, that Mr. Attorney was attracted by Villiers' open and easy manners and gracious carriage and that the delicate, gentle youth looked up as yet to the man of wisdom and was honoured by his correspondence. In historical and biographical matters whatever fable you fancy is yours to command, and it is easy to find sanction for the pleasantest romances of friendship in the intercourse of the great.

But from the point of view of the Earl of Somerset the hard facts were these. His acquittal threatened Villiers' position very nearly. His conviction was a service to the King which both he and his favourite were bound to reward. Bacon had money beyond the dreams of avarice, but there were professional heights to which he desired to climb, and unless the King gave him a hand he must remain below. Now the King's hand was held in loving custody by the handsome, effeminate youth who was always at the King's side.

This was, I fancy, the case for opinion that Bacon had stated to himself, and he had advised that a cheery friendship with the King's favourite was a necessary step in his action to obtain the Chancellorship.

Bacon, being a man of great wisdom, clear insight, and, if not inconvenient at the moment, of accustomed probity, it is interesting to watch him at work on the indictment of the Earl and Countess of Somerset. He was endowed with the gift of industry, which in the law is a matter of far greater import than brilliancy. His first task was to carry away to his chambers at Gray's Inn all those hundreds of examinations which Coke had collected and copied and to make a précis of them. One can see him ploughing through the mud of them, picking out the few relevant facts they contained and casting aside into a rubbish heap on the floor the great bulk of nonsense Coke had laboriously written for his clerk to collect and parcel together and return to the Chief Justice.

The hearsay and tattle that had pleased Coke was of no purpose to this clear-headed man. He was soon aware that the case had been mulled and muddled from the start, and that he would have to reorganise and reset the unsavoury debris, craftily conceal the unsubstantial nature of the meal he was preparing for the court, and add some delicate flavour of suggestion to captivate the palates of the peers who were to try Somerset.

One thing was clear enough. To try Somerset, before the Countess was tried, was courting acquittal and disaster. The case against her was clear and overwhelming, that at least she had conspired to kill Overbury and suborned poisoners. Once convict her, and the chances of convicting Somerset were greater.

It was not the Attorney-General's business to consider whether Overbury was ever poisoned at all. An acute mind like Bacon's must have wondered whether or not he did die of poison or of disease. There was one man who probably knew, the jolly fat physician beloved of

the King and Queen, Dr. Theodore Mayerne. Some day when he met him out at dinner Bacon would ask him all about it, but probably the old fellow would only laugh and shake his head and crumple his fat hands together and know nothing.

But for the purpose of advising on the case against Somerset, as Coke had left it, he started with the conviction of Weston as principal murderer and poisoner of Overbury. That was Coke's good deed. It was naught to Mr. Attorney that the conviction may have been wrong. It was a matter of record and a foundation on which he could build with legal safety. It was his business to prove Somerset to be an accessory before the fact of the murder of which Weston was convicted.

Whether Somerset was really guilty of this crime was not a matter that Bacon would trouble about. It was really not his affair. He had to make it appear that he was guilty, to prove it in fact to the satisfaction of the jury. He never expresses a word of his personal belief in Somerset's guilt, though you may, if you desire it, draw inferences from some professional phrases he used that he did not believe him innocent. James and Bacon correspond and discuss at much length as to what is to be done with the Earl of Somerset, but they do not write about him as a murderer and a poisoner. The guilt of their prisoner does not interest them. They want him to confess his guilt that the King may extend mercy to him, or otherwise, as shall turn out convenient later on. But neither the King nor his Attorney seem to regard Somerset as a murderer. They do not hold him up to reprobation and the hatred of mankind as Coke did. On the contrary, they discuss the evidence of the matter with frank admissions of its shortcomings, and regret that it carries the case no further against Somerset than to provoke suspicion, and they enter into arguments as to whether it is at all sufficient to gain a conviction.

For what have they got? There was the rascal Franklin's confession which Coke had told the world was proof positive of Somerset's guilt. But when you came to read the words of it, Franklin had never come near the Earl until two years after Overbury's death. Then his conference had been with the Countess, who had gone into an inner room, and returned from there with instructions which she said had come from the Earl. The lying evidence of this master rogue which Coke had accepted so recklessly was no real use for the case Bacon was going to prove, for at the best it only went to show that Somerset was an accessory after, and not before, the act of murder.

One can almost hear Bacon damning Coke's blundering stupidity as he turned over the pages of his brief. This sort of stuff was good enough at the Guildhall for a bullying judge to cram down the throats of a very common jury of terrorised citizens. But they were only called together for the everyday task of hanging rogues and commoners; Bacon had to address peers and men of education, and he gnawed the end of his quill fretfully, cursing Coke at intervals and wondering how the matter was to be dressed up and spread before the august tribunal of the assembled peers.

At the next meeting of the Commissioners he put something of this forward. Coke was offended at once, and asked him whether the evidence against Somerset was not a good strong thread.

"Why," replied Mr. Attorney courteously, "the evidence is as my lord says, a good strong thread touching the matter of poisoning. But touching the matter of the guilt of the Earl of Somerset this same thread must be well spun and woven together."

The Lord Chancellor nodded assent, adding: "Our brother must not forget that it is one thing to deal with a jury of Middlesex and Londoners and another to deal with the peers."

" True, my Lord," continued Bacon, pleased with the Chancellor echoing his own thought, " and all this evidence has been repeated several times, and the same things often opened lose their freshness except there be an aspersion of something new."

" The evidence is full and sufficient against the Earl," growled Coke, " I have said so."

" I have not said ' nay,' " said Mr. Attorney mildly, for he quarrelled with no man unnecessarily. " But I am to confer with His Majesty who wisely considers that it were best to wait until the Countess hath been further examined and pressed to confess her guilt, for if she do, then the trial of the Earl will run more smoothly."

" I see no reason for further delay," said Coke boldly, but the other lords shook their heads, being rather shocked at his temerity, and the Chancellor adjourned the meeting.

That evening, being January 22nd, Bacon wrote a minute of the affair to His Majesty at Newmarket, adding that they would meet again to consider the marshalling of the evidence, and pointing out how necessary it would be for the King to be careful to choose a steward of judgment to preside at the Earl's trial who would be ready to moderate the evidence and cut off digressions, since he himself conducting the prosecution at the bar " may interrupt but cannot silence." There was even then fear in the King's heart that Somerset might in despair bring charges against the King himself, and though this had not as yet been spoken of by His Majesty to Mr. Attorney the latter was shrewd enough to guess it. Coke's foolish sayings at the Monson trial were of recent memory, and Bacon put in a shrewd word of criticism of his ancient rival when he told the King that he hoped he would appoint the Chancellor to help him in marshalling and arranging the evidence as well, of course, as the assistance of my Lord Chief Justice, " whose great travails as I much commend, yet that

same *plerophoria* or over confidence doth always subject things to a great deal of chance."

Mr. Attorney was a wise man with a great prize nearly within his grasp, and Mr. Attorney was taking no chances. For that reason Coke must be muzzled.

Chapter XXXI: *The Law's Delays*

THERE is a standing quarrel between citizens and their governors about procrastination. The people regard it as the thief of time, and their rulers regard it as the soul of business. The man in the street readily becomes suspicious when he finds that a wealthy criminal is not being brought to trial. However legally correct such a course may be, the delay is hateful, because the public instinct knows that it is dangerous to justice. Tavern cynics began to wag their heads over the long-postponed trials of the Somersets and to quote poor Weston's fears about the net that was closing round the little birds but would let the great ones go free.

The contrast between the indecent haste with which the minor characters of the drama had been hustled out of the world and the dilatory proceedings against Somerset was inexplicable to a people who had been officially told by their Lord Chief Justice that the proofs against Somerset were beyond doubt. Who was shielding these guilty ones ? It was very puzzling and exasperating to the common mind. A Grand Jury had found a true bill against these two prisoners before Christmas, and here were January, February, and March passing away and the Earl and Countess, though imprisoned in the Tower, were not brought to the scaffold.

It was whispered in Paul's that in Court circles there was a rumour that the delay was caused by a Spanish conspiracy. The bugbear of the English people at this time was Spain. The Armada was not forgotten. Coke had started a new hare against Somerset, and the story now went that he was a bribed servant of the enemy,

and the gossip in Court circles was that the murder charge would be dropped and he would lose his head on Tower Hill as a traitor. This rumour was much confirmed by the news that Sir John Digby, the Spanish Ambassador, had been summoned home.

We need not burden our narrative with any lengthy investigation of Spanish affairs. Sir John Digby returned in haste, vexed and annoyed with Coke's interference in foreign politics. He made it absolutely clear that the Earl of Somerset had a clean record in Spanish matters. He had never been a pensioner of Spain, and had never kept back from the King, as Coke suggested, Spanish secrets. It was well known in official circles who were Spanish pensioners, and we, too, had our pensioners in the Court of Spain, but it was very inconvenient to our Foreign Office to mention such things in public. Somerset was proved to be innocent of any political offences, and Coke fell into greater disrepute than ever.

Although this was talked of in Paul's as the reason of the delay in the Earl's trial, the gossip of the Temple took another path. The rumour there was that Bacon, who had now taken over the control of the prosecution, was determined that Coke should play no active part in the trial which must be presided over by the Lord Chancellor. Also that Mr. Attorney would have naught to do with Sir Lawrence Hyde, who had hitherto been leader in the former trials. It was known that briefs had been delivered to Serjeant Crew and Serjeant Montague and that they were in close consultation with Mr. Attorney, who was said to be drilling them carefully in the parts they should play.

The Temple gossip was well-founded and the trials might now have gone forward but for the sudden serious illness of the Lord Chancellor. The Temple was agog with new conjecture. Bacon was at once in the field with his application for the reversion of Lord Ellesmere's office. If he got it Mr. Solicitor Yelverton would be made Attorney-General, and he being a devoted adherent

of Somerset, might make a favourable prosecution. So here was more delay and new discourse of pungent rumour.

Bacon made his claim to the Chancellorship with no undue modesty. He reminded the King how he himself had chosen him as his Attorney. He belittled Somerset's good offices and asserted that he had merely thrust himself into the business for a fee. But he claims Villiers' patronage in the present application. The financial aspect of his appointment to the King's benefit he sets out accurately and persuasively. If he is made Lord Chancellor the King will then have two fat places to sell, namely, his place of attorney, which he thinks is honestly worth £6,000 a year, and his place in the Star Chamber worth, say, £1,600 a year. Now this, he tells the King, could certainly be made a better business if there were a more favourable Chancellor in the chair, to wit, Bacon himself. He then proceeds to point out his superior value to that of other candidates. "If," he writes, "you take my Lord Coke this will follow; first, your Majesty shall put an over-ruling nature into an over-ruling place, and, lastly, popular men are no sure mounters for your Majesty's saddle." In like way he warns the King from other possible selections. His advice was probably sound, but, as he himself had wisely said, he would not trust a man who sued to be made a judge and bargained for a place of judicature.

How the King received it we know not, but Sir George sent Bacon so generous an appreciation of his deserts and approval of his claim to the Chancellorship that Bacon says it "hath bred in me such belief and confidence as I will now wholly rely upon your excellent and happy self." He assures Villiers in sycophantic phrase that like the "Turquois stone in a ring, I will break into twenty pieces before you have the least fall." But all this, alas, is but flattery for favours to come, since in a postscript he sends the sorrowful tiding that

Ellesmere is getting better. "My Lord Chancellor is prettily amended," he writes, "I was with him yesterday almost half an hour. He used me with wonderful tokens of kindness. We both wept, which I do not often."

The spectacle of the expectant legal heir weeping crocodile tears at the bedside of his aged father in the law, who has the bad taste to recover, is a scene of the richest humour. But Bacon loved to send his gay young friend incidents "to make you merry," as he wrote elsewhere, and when Villiers received the message he and his old dad, the King, must have laughed heartily over Mr. Attorney's disappointment. Though whether or not Bacon meant them on this occasion to laugh over his tears or sympathise with the cause of them, even his learned editor hazards no conjecture, so mute are scholars before the abounding providence of humour.

The Chancellor recovers and is ready to preside at the trial, and by the middle of April Bacon has rehearsed his juniors in their parts and is asking the King to fix a date for the hearing. But His Majesty has been making a further study of the depositions and is still of opinion that confessions by the prisoners would be safer and more satisfactory than their trial.

It is due to the memory of this extraordinary pedant and scholar that he was acute enough to point out to his Attorney a curious error into which Sir Edward Coke had fallen in his interpretation of one of the most important letters in the case. The course taken by the King must be remembered when we come to the prosecution of Somerset and the method Bacon sanctioned in the use of the letter as evidence.

During the Countess's early examination she had been confronted with a letter written by her to Sir Gervase Helwys which she had sent with some confections for Overbury's use. In this she wrote: "I was bid to bid you say these tarts came not from me; and, again, I was bid to tell you that you must take heed of

the tarts, because there be letters in them, and therefore neither give your wife nor children of them, but of the wine you may for there are no letters in it. Sir T. Monson will come from Court this day and then we shall have other news."

There is another version of this letter in which the phrase is used : " I was moreover bid to tell you that if he did send you any wine you might drink of it."

How there could be two official copies of the same document even in a seventeenth-century trial presided over by Coke is beyond comprehension, but we have Coke's notes in which in the margin of the Countess's examination he sets down that " he " who sent the wine " must be Rochester, for none else could command her but he."

This gloss the pedantic James could not pass without comment. It was indeed a most careless interpretation of the text, for at the time Frances wrote the letter Rochester was no doubt her lover but not her master in any way. She had not yet obtained her divorce and only met him at stolen interviews, since she was living with her parents or her great uncle, the Earl of Northampton.

James, who in his scholarly vein loved to criticise documentary evidence, whether in theological or legal treatises, put his finger on these flaws in the argument and ordered a re-examination of the Countess on these specific points.

This being done, on May 2nd Bacon reports to Villiers that " my Lady Somerset hath been re-examined and His Majesty is found both a true prophet and a most just King in that scruple he made. For now she expoundeth the word ' he ' that should send the tarts to Helwys's wife to be of Overbury and not of Somerset ; but for the person that should bid her she said it was Northampton or Weston not pitching upon certainty which giveth some advantage to the evidence."

So far from the Countess ever confessing that Somerset

was a party to her conspiracy, as Coke tried to make out, she had never made the least suggestion that her lover had in any way advised or counselled such a plot. It was fairly obvious that if he had intended the destruction of Overbury there was no need to have allowed the business to be dealt with by the Countess of Essex and her servants. For why should a man of Somerset's wealth and position play a minor part in such an important conspiracy and leave the details in the hands of these women ? If he had desired Overbury's death he could have compassed it in many ways, but these considerations are perhaps irrelevant to the matter which the King discovered and pointed out to his advisers, which was that nothing in the examinations of the Countess tended to implicate her husband.

Whilst the King hesitated to proceed, Villiers, loyally seconded by Bacon, pressed for a trial. But James was still holding back and making delays and criticising the proofs. He seemed in some terror of what Somerset would do and say and sent friends to urge him to confession, whom Somerset sent away empty, for neither to the Chancellor nor to the Attorney-General nor to any ambassador from the King would the stubborn Earl admit for a moment that he had any hand in his friend Overbury's death.

Meanwhile the public grew more and more impatient. There were open murmurs against the King's justice. His advisers grew frightened and urged him to announce a date for the trials. Great was the joy in the city when there was official news that the law's delays were ended, and it passed from mouth to mouth that justice was to be done and that the Chancellor was appointed Lord High Steward and the peers were summoned to meet at Westminster on May 15th to try Lady Somerset.

Better still was it to see huge loads of timber moving into Westminster Hall and to hear workmen, hammering within, building a dais for the noble jury, a bar for the

prisoner, and boxes and galleries for the sightseers, who could afford to pay generously for a right to be present when Frances, Lady Somerset, would be brought from the Tower to hold up her hand and answer the indictment which charged her with the murder of Sir Thomas Overbury.

Chapter XXXII: *The Arraignment of Lady Frances*

WHEN the trials of the Countess and Earl of Somerset were definitely fixed for May 15th and the following days there was a great rush for tickets of admission to Westminster Hall. Prices ruled high, and any seat from which you could see the prisoner and hear the speeches fetched a good sum of money. An eminent lawyer was glad to get two moderate seats for himself and his wife for £10, and £50 was given for a corner of the hall that could scarce accommodate a dozen persons.

The whole town was in a state of ferment and excitement about the long-delayed trials. The lawyers of the Temple were in despair over the matter. The Overbury trials had simply killed all ordinary business, and the term had been turned into a vacancy, for none would attend to their own law-suits, but all must discuss and argue the guilt or innocence of these noble prisoners.

As in our own day, those who were least acquainted with legal affairs asserted with great boldness the exact course things were to take. Braggarts at the ordinaries whispered confidentially information they had received from a friend who knew the wife of Sir Francis Bacon's clerk or someone equally remote from the fountain head. Some could tell you that there would be new evidence and would in confidence foreshadow the nature of it. Many repeated Coke's prophecies of the unmasking of ghoulish conspiracies, and many thought they would at last hear the truth of Prince Henry's early death, for there was a widespread belief that he had been poisoned.

Some declared that the Earl and Countess would plead guilty, but these were in a minority, and, of course, no one but a small inner circle about the King and Mr. Attorney had the least idea what was going to happen.

Suddenly it was announced that the trials were postponed until Friday, May 24th, and Saturday, May 25th, and the populace were sullen and angry at the news. Now gloomy newsmongers assured their friends that there would be no trials and the latest authoritative tidings were that the Earl and Countess had both confessed and were to be pardoned by the King.

These adjournments and delays were really made to attempt to obtain from Somerset something in the way of a confession, and had he not been obstinate in defence of his honour his wiser course would have been to succumb to the King's promises and entreaties as the easiest way out of his troubles.

But as he remained steadfast there was at long last no further excuse for delay, and on May 24th, Frances Howard, Countess of Somerset, had to stand at the bar and take her trial.

The prisoner was lodged in Garden House where Sir Walter Raleigh had lived after he was allowed to leave the Bloody Tower. Early on the Friday morning Sir George More, the lieutenant, came to her room and announced that the barge was waiting and it was time for them to start for Westminster.

The poor lady had dressed herself with great care for her last public appearance and displayed a modest and becoming taste in the elegant arrangement of black and white which she had adopted for the occasion. She was dressed in black stammel, having chosen that homely linsey-woolsey with a woman's tact, as it was the favoured garb of penitents; on her head she wore a cypress chaperon, or black crape hood of the French fashion, and the touch of white was given to the costume by a cobweb lawn ruff and cuffs.

Outside her lodging stood the halberdiers waiting to

attend her to the river stairs, captained by an officer in a corselet and steel cap. Sir George took her hand and led her across the courtyard, the soldiers walking on each side of her. She cast her eyes upon the ground until the shadow of a new figure in front of her caused her to look up. A stout fellow in a black jerkin had joined the procession and was walking slowly in front of her. He carried an axe, the haft being supported in a leathern pouch, the straps of which hung from his shoulders. The edge of the axe was turned away from her according to precedent, but she shuddered at the sight of it and stopped and would have fallen had not Sir George held her arm and carried her along the few remaining steps to the barge.

How ungrateful are prisoners to the law, that even in moments like these is caring for their highest interests. This grave matter of the presence of the axe had been discussed by the judges. The case being felony and not treason, Coke demurred to the presence of an axe. Bacon, however, tenderly urged the right of persons of high rank not to be deprived of the courtesy and companionship of an axe even though their crime fell short of treason and might ultimately be punished by hanging.

My Lords, in their merciful consideration of the prisoner's case, decided that in her procession to and from Westminster she was, as a Countess, entitled to the full ritual of the presence of the executioner and his axe. At the same meeting Mr. Attorney had also raised a point of greater substance to the prosecution, and that was what should be done if in any speech to the peers the prisoner should seek to clear the Earl from blame, and it was agreed that Lord Ellesmere should at once intervene and silence her.

My Lady knew nothing of these things. She had not seen her husband during her imprisonment and had been without friends or advice, except that given her by the King's emissaries. And now she had to make up her frail mind what speech she should make to the

grave men by whom she was to be tried; men whom but a few months before, she had known as courtiers and slaves of her beauty and servants of her whims.

The poor woman sat within the cabin of the barge alone with her maid. She would not spoil her angel face with tears. At least she would try and meet her fate like a Howard, bravely, and they should not see the terror at her heart. The curtains were drawn and she could see nothing of the outer world and the traffic of the river. The fellow with the axe sat in front of the cabin, the halberdiers stood in the stern of the barge. Watermen lay on their oars and gazed at the vessel with pity in their hearts, remembering other days when the beautiful girl and the young Prince and their gay companions had made merry voyages on the river and greeted their hail with kindly salutation.

The tide was at half-flow and it was nine o'clock when they reached Westminster. The Lieutenant conducted his prisoner to a private room within the hall. There she was left with her woman until the court should be formed. She had no counsel or friend near her and could hear the murmurs of the huge crowds outside and the buzz of the audience within the Hall waiting impatiently for her entrance.

For those who had tickets of admission had begun to secure their seats as early as six in the morning, and by nine the hall was filled to overflowing and a huge mob thronged the outer yard and overflowed into the streets beyond. The only vacant places were those on the dais which had been built at the upper end of the Hall for the Lord High Steward, below whom chairs for the Lord Chief Justice and the other judges were placed, whilst on each side were the seats for the jury of peers.

The Clerk of Arraigns had already taken his seat with his fellow-clerks at a table below the judges, and in front of him there was a little cabin built near the Common Pleas which was the dock prepared for the prisoner. The executioner and his axe and the Lieutenant

of the Tower were to be seated in a small wooden pen by her side. Counsel and their attorneys were already taking their places at a table below the dock, and arranging their papers. Sir Francis Bacon, Serjeant Montague, and Serjeant Crew had the real conduct of the case, but Sir Henry Yelverton, the Solicitor-General, and four or five other important officials attended with briefs in front of them and attornies instructing them to grace the importance of the occasion and earn their fees.

At the stroke of ten Thomas Egerton Lord Ellesmere, the Lord High Steward, entered the hall, with more than twenty of the great peers of the realm and a large body of the Judges of the King's Bench, Exchequer and Common Pleas in their scarlet robes. The serjeants-at-arms who preceded them laid their maces on the table.

The huge crowd in the Hall rose at the entrance of the procession, and waited standing until the Lord High Steward had bowed to the assembly and taken his seat beneath a cloth of estate with his seal bearer, holding his great seal, seated at his feet.

The trial has begun, and the people watch with solemn awe the strange ceremonies with which the law surrounds its holy message. Silence being enforced, Sir George Coppin, who has brought his patent, kneels and presents it to my Lord, who kisses it reverently and delivers it again to the kneeling messenger. The serjeant crier calls again for silence. The Commission is mumbled out in due form, and then my Lord Coke produces the indictment against the Countess which Fenshaw, the Clerk of Arraigns, reads at length. Then other important ceremonies are performed, the serjeant crier on each occasion making another Oyez and demanding silence. So when we have all the indictments and schedules produced and the precept for the peers, and each peer has been summoned and answered to his name and stood uncovered before my Lord to signify his obedience to the summons, it is at last time to make a sixth Oyez and

to call in the Lieutenant of the Tower to return his precept and bring the prisoner to the bar.

This he did, and the beautiful woman stood before her peers in her elegant weeds, drooping her eyes modestly, and letting a few tears run across her cheeks. If beauty were indeed God's handwriting, here was innocence personified, demanding sorrow and pity not judgment. Many of her judges turned away their heads in grief at the task they had pledged their honour to see through.

She makes a low obeisance to my Lord and bows right and left to her judges. The Lord High Steward turns to the peers and says in a clear voice: "My lords, the reason why you be called hither this day is to sit as peers of Frances Countess of Somerset."

Fenshaw, Clerk of the Crown, is at once upon his feet with the parchment in his hand and calls out: "Frances, Countess of Somerset, hold up thy hand." The poor woman does so, and Fenshaw, in official style, rattles off the dog Latin of the incomprehensible indictment while she stands pale and trembling, shedding some few tears. The lieutenant tells her she need not continue to hold her hand up, and she looks at him gratefully and reaches for her fan. When Fenshaw comes upon the name of Weston in the indictment she spreads the feathers of her fan half across her face and so holds it until the indictment is ended.

Mr. Fenshaw then asks her the solemn question: "Frances, Countess of Somerset, what sayest thou? Art thou guilty of this felony and murder or not guilty?"

There is a pause and the cold silence of the grave seems to possess the hall. Every man strains his ears to hear her answer. She clutches the bar in front of her with rigid hands, her face grows deathly pale, her lips are seen to move, and at a second effort, "in a low voice, but wonderful fearful," she whispers the word "Guilty!"

A murmur of excitement, that would have been roused to a volume of great sound in a second's space, is stopped by the pleasant voice of His Majesty's Attorney-General. Sir Francis Bacon had known the course that the Countess intended to take, but it was a matter of relief to him to know that she had not sought to add words of extenuation to her plea nor attempted to speak of the Earl.

There was no insincerity therefore in his opening words to my Lord when he said: "I am glad to hear this lady's so free acknowledgment, for confession is noble."

And not only was it noble, but it was extremely convenient, in view of the obstinacy of the Earl of Somerset, that this confession should be thrown to-day before the peers as a makeweight for the somewhat meagre measure of evidence that he had to deal out to them on the morrow when they were to try the Earl himself.

Although there was no legal necessity to do more than ask for judgment, yet Mr. Attorney had thought it well to prepare an oration to create a right atmosphere for the work of the next day. The points he urged the peers to consider were that the King was the best master in the world; and that the lady's humility and repentance were the best path for a woman of such honourable parentage by which to approach the mercy seat which is in the inner part of the temple at the foot of the King's throne.

And though, unlike Coke, he paid lip service to his position as a prosecutor desiring, as he said, "neither to grieve a lady that is present nor touch a lord that is absent, for my duty requires it not, and my humanity forbids it," yet he felt it very convenient to bring upon "the stage, which is the theatre of God's justice," several scenes in which the King played the part of a clever inquisitor and law-giver and a discoverer of grave plots and poisonings, and he caused the King's instructions to his Commissioner to be read as a preface to what they were to hear to-morrow.

All this was very tactfully and skilfully done with an apparent desire to be fair, which had been absent from all the other trials.

Tough old Coke thought it all very wishy-washy, milk-and-water sort of stuff, and at the end of it rose in his seat to tell the peers that whatever whispers they may have heard he was prepared to state that Weston really did confess, and he had brought Dr. Whiting, his confessor, along with him if they wanted to hear him.

Bacon stood fidgeting at the bar at this interruption, and my Lord High Steward, seeing his anxious looks, brought the scene to an end.

" My lords," he interrupted, " you see and have heard those directions under the King's hand; give glory to God and honour to the King."

Mr. Attorney is at once on his feet again, and with a low bow in solemn tones asks for judgment to be recorded. Fenshaw's official voice again directs the pitying eyes of all the throng on the unhappy prisoner.

" Frances, Countess of Somerset, hold up thine hand: Whereas thou hast been indicted, arraigned and pleaded guilty as accessory before the fact of the wilful poisoning and murder of Sir Thomas Overbury; what canst thou now say for thyself why Judgment of Death should not be pronounced against thee? "

The Countess was too bewildered and collapsed in mind and body to collect her words. She spoke something indeed very humbly and fearfully and so low that none could hear it.

Mr. Attorney, who was sitting beneath the dock, raised himself and placed his ear near her, and turning to my Lord repeated her words, which he said were that she could much aggravate, but nothing extenuate her fault, yet she desired mercy and prayed the lords would intercede for her.

Then Sir R. Coningsby, sitting before the Lord High Steward, rises and upon his knee delivers him the White Staff.

The old man does not hesitate, for in kindness to the poor wretch in front of him and for all their own sakes he is eager the business should be ended. He promises her in a few words that their lordships will bear in mind the humility and grief with which she has confessed her sin and will signify this to the King and mediate for his grace: "But in the meantime according to the law the sentence must be this: That thou shalt be carried from hence to the Tower of London and from thence to the place of execution where you are to be hanged by the neck till you be dead; and the Lord have mercy upon your soul."

She did not seem to hear his words and looked so dazed the lieutenant thought she would faint and came close to her, beckoning to her woman to stand near her in case she fell. The executioner had already lifted his axe and stood ready to precede her, poising the weapon with the edge turned towards her.

The beautiful creature made a gallant effort to meet her doom bravely as became a Howard, and opening her eyes gazed across the hall.

Suddenly she saw the figure of a young fellow of sullen demeanour standing crouched against the wall who had been watching her closely during the hour of her martyrdom, though she had not seen him until this moment.

It was Robert, Earl of Essex.

Pride overcame her terror and despair. It was as though the awful words she had just listened to had never reached her ears, or if she had heard them they came to her as a message of glad tidings. Frances was herself again, the blood mounted to her cheeks, her glorious beauty, softened by a calm smile of content, lighted her face. Anger and rage filled her heart that the curse of her life and the source of her ruin should be there to triumph over her downfall. But neither he nor the world should see her conquered.

She shook herself proudly and calmly adjusted her

dainty cobweb ruff, casting a moment's glance of hatred and contempt towards where the Earl stood as she gathered her cloak about her and spread her fan across her breast. Then as if she had been entering a ball-room in the King's palace at Whitehall, and the executioner was some dainty page preceding her honoured footsteps, she waved her woman aside, and accepting the Lieutenant's hand with a gracious bow, walked proudly through the throng out of the great hall.

That was the last exit of this pitiful beautiful woman and the world knew her no more.

Chapter XXXIII: *The Terror of the King*

FROM the very first, as we have seen, the King was in great anxiety as to what Somerset might say or do when he was brought to trial. Since Coke had allowed His Majesty to see the depositions upon which the minor characters in the tragedy had been executed, the King had noted to Bacon his view that the evidence was very weak against the Earl of Somerset. In this Bacon concurred, and the delays and adjournments made from time to time at the King's instance, took place in order to bring the Earl to a confession of a crime of which he denied all knowledge and of which there was little or no evidence that he was guilty.

As far back as December Lord Knollys and Lord Hay, as emissaries of James, had visited the Earl in the Tower where he was under custody of Sir George More, to whom His Majesty deigned to send a long apologia to be read or spoken to his prisoner. The Lieutenant was to explain to the Earl that the King was " sorry to see that he continues still to take the wrong course to his own hurt in this business as he hath done since the beginning of it." He is also to assure his prisoner that he had not really dealt rigorously with him in committing him to the Tower, since the accusation against him is " murther of the fowlest kinde," that the proofs against him were very pregnant—which the King did not really believe—and that " there was a great murmur amongst the people that justice was stayed," which was, no doubt, very true. The Lieutenant was therefore to remind him—doubtless to strike fear into his heart—

that the common people had expressed their joy for the justice done against Weston, that the church bells had rung merrily throughout the city on the day of his execution, and that the Lord Mayor and Corporation had expressed to the King the great comfort they had received from the judgment against the other prisoners and the great happiness they had " in living under the government of such a King."

Somerset, however, was not moved by these covert threats. He from first to last asserted his innocence, and though he did not see his wife, and had indeed little desire to do so, for he was now assured of her guilt, he did, whilst repeating his protest against his own treatment, petition for his wife that she " might not be brought to an open trial but that she might be kept in some private corner all the days of her life, since she is the mother of a child."

James replied very sensibly to this prayer, pointing out the impossibility of such an arrangement. He added that Somerset must clearly take his trial, too, for if he be innocent all will be well ; " but if he be guilty (as God forbid), then must he take a course by his humble confessions to plead for mercy, I being to follow the example of Almighty God who doth not forgive sins until they be confessed and sorrowed for, no more can I show mercy where innocency is stood upon and the offence not made known by confession unto me."

This invitation to confess in hope of the King's mercy was constantly repeated, but the Earl of Somerset knew his royal master and could read his innermost heart, and preferred to stand on his innocence.

Somerset indeed dealt very haughtily with the King throughout his imprisonment, and flatly told his jailer that he was not going to take his trial at all, and that if he was carried to trial by force it would be an evil day for the King. James in his letters seemed to believe there was substance in his threats and was clearly in terror of some exposure. As to what was at the back

of their minds in this strange correspondence between prisoner and King it is easy to guess, but impossible to prove. Some have thought that the King, Somerset, and Mayerne were all concerned in the death of Prince Henry, but modern medical opinion will have none of it and scoffs at Coke's suspicions. Others think that the King feared an exposure of the immoralities of his Court. Others again believe there were Spanish political intrigues, the disclosure of which would be politically inconvenient. But the most extraordinary theory of all is the belief put forward by some serious students of this strange story, that the King himself was actor, art and part in the murder of Overbury, and that that was the reason why Dr. Mayerne retired to Bath during the trials and did not give evidence. As to this, the King in writing to Sir George More with his personal instructions to press the Earl to make a confession seems to think that Somerset will threaten him with "laying an aspersion upon me of being in some sort accessory to his crime," and he is bid to "urge him to confession, by reason that I refuse him no favour which I can grant him, without taking upon me the suspicion of being guilty of this crime whereof he is accused." If the King was guilty of conspiring with Somerset to murder Overbury then, of course, Somerset's innocence seems impossible. But there is no evidence of such a thing, and all that we can know to-day is that His Majesty was in great dread of bringing Somerset to trial for fear he should take his revenge upon him by making some scandalous personal charges from the dock.

The correspondence of Bacon and James and Villiers on the subject is full of interest. Bacon indeed bears strong witness to Somerset's constancy in the assertion of his innocence, for when at an examination in the Tower the Lord Chancellor sought to put him in mind of the danger in which he stood from the charge of empoisoning, Bacon writes to the King that the Earl "was little moved with it, and pretended carelessness

of life, since ignominy had made him unfit for His Majesty's service."

Bacon knew the King's mind and the King's fears, and did all in his power to extort a confession from Somerset. When that was not forthcoming he wrote the King a careful minute, explaining the alternatives as he understood them. The King, he thought, might either stay the trials and so save both the prisoners from public ignominy, or he might let the trials proceed and stay or reprieve the judgment, or there was the third alternative, that both trial and judgment might proceed and then the King could " save the blood only not from corrupting but spilling."

Bacon knew that there was no intention in the King's mind to kill his favourite or his Treasurer's daughter. In his private correspondence with James and Villiers he makes it quite clear that the game to be played is to accept the Countess's plea of guilty first, and then to convict Somerset, so that he shall not trouble His Majesty and his new favourite in the future, and not to allow any aspersion to be made against James personally or the methods of justice of the King.

He finds, therefore, for his royal master many very shrewd excuses for the line of conduct he knows that he wishes to adopt, and among the reasons he sets out for the exercise of mercy is that " the former offenders did none of them make a clear confession." Mr. Attorney did not believe the reassuring nonsense that Coke reiterated every time he appeared on the Bench, that all the prisoners had confessed their crimes to him or to the ubiquitous utility parson, Dr. Whiting. From first to last he treats the evidence Coke has collected so laboriously with the contempt the bulk of it deserves, but he is ready to pick out what is sufficient for his own purposes and to guarantee Villiers a conviction of the man who still stands between him and the King.

A fortnight before the trials he is able to tell the King what will happen. His forecast is wonderfully

acute and lacks the uncertainty and hesitation of modern counsels' opinion, for he writes " if that fall out which is likest, as things stand, and which we expect, which is, that the lady confess ; and that Somerset himself plead not guilty and be found guilty." This prediction, which James notes in the margin " cannot be mended," was fulfilled to the letter. But at the same time if by any unforeseen accident there should be an acquittal, the complacent Mr. Attorney thinks the Lord High Steward should be provided what to do, and the best course would be to remand the Earl to the Tower, there to be kept a close prisoner until they can find some charges to bring before the Star Chamber.

One cannot but admire the wit and sense of this great lawyer in dealing with the case. Once forgive him the original sin of obtaining a conviction without evidence to sustain it, and every step he takes in achieving the end the King desires is beyond praise. The way in which he stages this drama of the law almost persuades one to make excuse for the heresy of those simple mystery men, the Baconians, who if they look for it can certainly find in Bacon's scenarios of the Somerset trials fresh food for their theories.

And now to further comfort the King, Bacon takes the advice of the judges as to what is to be done if Somerset starts railing at the King during his trial, and it is proposed, without much heed, it is to be feared, to the law in that case made and provided, that he shall be withdrawn from the bar and evidence given in his absence.

These were the preparations that had been made for dealing with the Earl of Somerset on the morning after his wife's conviction, and Sir George More, as directed by the King, had informed him of the result of the trial of the Countess in the final hope that it would lead to the prisoner's offering to make some confession at his own trial which was to take place the next day.

More had been given wide powers direct from His

Majesty, and a special messenger had been sent, "an honest gentleman," to tell Somerset from the King himself that his life would be pardoned if he would confess. Indeed, he had in his own hand written to Sir George: "you shall therefore give him assurance in my name, that if he will yet before his trial confess clearly unto the Commissioners his guiltiness of this fact, I will not only perform what I promised by my last messenger, both towards him and his wife, but I will enlarge it." All this More was to do, and further he was to hint to the Earl that the Countess was going to "plead weakly for his innocency." The King then goes on to suggest that More should pretend, "that you find the Commissioners have, you know not how, some secret assurance that in the end she will confess of him; but this must only be as from yourself, and therefore you must not let him know that I have written unto you, but only that I sent you private word to deliver him this message. Let none living know of this."

And the faithful More obeyed the King's orders and sealed up the letters from his master which never saw the light again for over two hundred years. But here they are to-day speaking of the Earl's obstinacy, and the King's lying endeavour to lure a confession out of him by false statements of his wife's admission of his guilt. It was a cruel lie, for maybe Somerset believed it. Yet we know that the poor woman never made a charge or suggestion of any sort of her husband's complicity in her crime, though she was much pressed to do so. Indeed, both the King and Bacon feared she would publicly announce her husband's innocence, and took steps to silence her.

But the King in his terror and fear of Somerset's disclosures went behind the back of his legal adviser, Mr. Attorney, and stooped to lies and false promises in hopes of getting a confession from the prisoner. Yet in vain was the net spread in sight of the bird who knew the old fowler too well to trust himself within his reach.

And now Sir George approaches him for the last time with the news of his wife's confession and conviction and heaven knows what further suggestions, true or false, to make him confess. But he does not find his prisoner in any humble or contrite frame of mind. On the contrary, Somerset flies into a passion with him, and tells his jailer that he absolutely refuses to go to his trial, and in a high strain of language, which the Lieutenant was not used to hear in his own Tower, this haughty peer made poor More quiver and shake, when he announced to him in masterful tones that he would not go to Westminster on the morrow for him or any one else, and that he would have to carry him there in his bed.

Now this was an aspect of affairs that seemed to the unhappy Lieutenant to require a further and better opinion than he could give, and he was at his wits' end how to deal with the situation.

Late as it was, for the Lieutenant spent much time in the evening trying to bring Somerset to a wiser frame of mind, and it was now near midnight, the Lieutenant ordered a pair of good oars to be ready for him, and dropped down the tide to Greenwich to acquaint the King with the trouble his prisoner was giving.

About one in the morning we find him bouncing and knocking at the back stairs like a madman, and at length he wakens John Loveston, the King's groom, who opens to him.

"I must speak with the King, John," says the Lieutenant.

"Hoots, mon," said Loveston, shaking his head. "He is quiet," which was his Scots phrase for saying His Majesty slept.

"Then waken him, John, for I must speak with him and at once."

Loveston was at last persuaded that the affair was urgent, for the King's anxiety about the trials was kitchen talk in the palace. He went into the chamber

and roused the King, who, hearing More was without, ordered him to enter his room, and Loveston left them together.

Then Sir George told His Majesty of the wild state in which he had left his prisoner and how he seemed to have lost all reason, so bold and undutiful were his expressions, so that it pained the loyal Lieutenant's heart that a faulty subject should use such foul words against a gracious Sovereign.

The King was even more grieved and fell into a passion of tears.

" On my soul, More," he cried in his distress, " thou art a wise man, help me in this great straight, and thou shalt find thou dost it for a thankful master."

Then the two conferred together for some time as to what must be done, and Sir George at length goes back to his boat strengthened by the King's orders, and returns to Somerset between three and four in the morning.

He found his prisoner much more reasonable and less in choler, and when he heard that Sir George had been with the King, he asked him what message he had sent him.

" My Lord," said the Lieutenant gravely, " I found His Majesty a most affectionate master unto you, and full of grace in his intentions towards you."

" In what way does the King show his intentions ? " asked the Earl shortly.

" He desires that you will attend at Westminster to satisfy justice, and though you will have to appear, yet Mr. Attorney will see that you be not kept long and shall return instantly without further proceedings. By this means you will know your enemies and their malice, though they shall have no power over you."

What all this meant Somerset could not well understand, but he was weary with want of sleep, and the fact that Sir George had seen the King himself and the message came direct from his royal master, and purported

to be friendly, satisfied his tired mind, and he agreed to make the morning journey to Westminster without any useless struggle.

Sir George left him, much relieved by his promise, and as it was nigh dawn went about his preparations for the morning. He instructed two stout halberdiers to station themselves, one on each side of the Earl in the hall, each bearing a cloak on his arm, and to be ready if he gave them a peremptory order to hoodwink him with the cloaks and take him violently from the bar and carry him away, for the which he not only promised to secure them from any danger, but assured them they should receive a bountiful reward and the favour of the King, whose orders they must all obey.

This being agreed to by the men, the Lieutenant attended his prisoner at his breakfast hour and found him calm and collected and in a better temper, so that he came to the barge of his own free will, and by eight in the morning they had come to Westminster, to the Lieutenant's great content.

Chapter XXXIV: *The Earl Defends His Honour*

ON Saturday, May 25th, 1616, Robert Carr, Earl of Somerset, faced his judges and held up his hand for blood. The throng in Westminster Hall was greater than had ever been seen before at a public trial. More ladies and great personages were present than had attended on the Friday, and those who had not seats climbed to the edge of the scaffolds or sought some vantage point on the stonework of the hall to catch a glimpse of the prisoner. The weather was intensely hot, and the audience suffered much discomfort.

My Lord was a dignified and indeed beautiful figure as he stood before his peers. Guilty or innocent, a prisoner in the dock is always a forlorn and pathetic picture of human misfortune. He was dressed in a plain black satin suit laid with two satin laces in a seam. Over this was thrown a gown of ancient velvet lined with unshorn; all the sleeves were laid with satin lace, and he carried a pair of gloves with satin tops. His "George" hung proudly on his breast. His red-gold hair was carefully curled, but his beard was no longer trimmed and peaked, as the fashion was, but had grown long during his imprisonment in the Tower. He could not hide from the gaze of the world the sorrow in his sunken eyes and the deathly pallor of his face, but he stood erect and confident in the little cabin by the Common Pleas and pleaded "Not guilty" in a clear voice that was heard throughout the hall.

"How wilt thou be tried?" demands Mr. Fenshaw.

"By God and the country!" calls out my Lord boldly, but remembering himself on the moment, amends his answer with a wan smile: "By God and my Peers!"

The issue between Crown and prisoner is joined. At last the Overbury affair is to be thrashed out in open court and the truth of it made known. At least so thought the simple people who settled down in hopeful expectancy to listen to the evidence.

Mr. Fenshaw's understudy, the second-crier, is now making an Oyez as we do to-day, calling out: "All you that be to give in evidence against Robert, Earl of Somerset, who stands now at the bar upon his deliverance make your appearance and you shall be heard what you have to say against him."

But before the indictment can be read the aged Lord High Steward in gentle, kindly tones leans forward and makes a plea to the Earl to consider the advisability of confession even at this last moment; and this he does, wrapping up his advice to the prisoner in general admonition of all concerned in the trial, and in words thoughtfully chosen to give the Earl a chance at this early beginning of the trial to withdraw his plea of "Not guilty."

"Robert, Earl of Somerset, you have been arraigned and pleaded 'Not guilty'; now I must tell you whatsoever you have to say in your own defence say it boldly, and without fear; and though it be not the ordinary custom you shall have pen and ink to help your memory; but remember that God is the God of truth. A fault defended is a double crime; hide not the verity nor affirm an untruth; for to deny that which is true increases the offence. Take heed lest your wilfulness cause the gates of mercy to be shut upon you."

That time might be given the Earl to ponder these grave words, which must have deeply prejudiced his cause in the eyes of the assembly, the Lord High Steward then reads a homily on the duty of the peers, which he

explains to them they owe to their honour though they are not sworn on the Book as common juries are, and ends his discourse with an appeal to the gentlemen of the bar that " you, that be of the King's Counsel, free your discourse from all partiality, but let truth prevail and endeavour to make it appear."

There was a moment's silence. The Earl bowed his head but did not make a move to speak. Mr. Attorney motioned to Serjeant Montague to open the indictment. The audience, who began to fear this case was also going to end with a plea of guilty and the loss of their entertainment, breathed freely as the learned Serjeant rose to address the peers. This he did with seeming reluctance, acknowledging that " this cannot but be a heavy spectacle unto you, to see that man that not long since in great place, with a white staff, went before the King, now at this bar hold up his hand for blood ; but this is the change of fortune, nay, I might better say the hand of God, and work of justice which is the King's honour."

The learned Serjeant, knowing the weakness of his evidence, then impressed on the jury that they must not expect visible proofs in the work of darkness, Coke and all the judges rising to confirm his view that proof must follow the substance of the indictment rather than the form, and that the question for the peers to consider was whether the Earl of Somerset procured or caused the poisoning.

Sir Francis Bacon then rose to make the opening speech for the prosecution which, like everything he put his hand to, is a masterpiece of the craft of advocacy, skilful in reasoning, ornate in form, clever in construction, sound in judgment, eloquent in language, lacking only the golden foundation of honesty. He spends much breath and indignation over the wickedness of the crime committed, and then directs the peers that it is not open to them to question the fact of the murder of Overbury by Weston. This, he says, is *chose jugée*, they are estopped from doubting it. " All the world

by law is concluded to say that Overbury was poisoned by Weston."

These were tall words, even from an Attorney-General, as a statement of law in the seventeenth century. But he knew that the Chancellor and the judges would not interrupt him, and it was necessary at all costs to restrain the common sense of any of the jury from raising the question whether Overbury was poisoned at all, or inquiring why the famous Dr. Mayerne, to whom they trusted their own bodies in time of sickness, was not asked what he thought about the matter.

In the game of advocacy the highest points are scored by the advocate who can persuade the jury to accept the issue of a trial to be the issue upon which he has material for success, and can scare their minds from the consideration of more relevant matters in which his adversaries hold the long suit.

The peers were told, not without reason, that the point they had to consider was whether the Earl procured Weston to poison Overbury. Now the direct evidence upon this issue was not strong. Therefore we find Mr. Attorney using the time-honoured method, where evidence of crime is weak, of stressing the evidence of motive. Bacon, the philospher, would have told you that it was naught to prove a man's possible motive for a crime unless there was also evidence that he had committed it.

But Mr. Attorney Bacon knew how easily juries are led away by the subtle suggestion of motive and, once satisfied of motive, too readily dispense with evidence of fact. The cunning advocate therefore dilates at length on the story of Overbury's friendship with the Earl, their quarrel, the history of the nullity, and the marriage which Overbury opposed. All perfectly relevant matter if it was in addition to and not in substitution of evidence of fact of procuring poisoning.

That the peers may be harrowed by the cruel picture of Overbury's misery Bacon paints his last days in lurid

colours. "Then," he says, in a purple patch of eloquence, "when they had this poor gentleman in the Tower, close prisoner, where he could not escape nor stir, where he could not feed but by their hands, where he could not speak nor write but through their trunks, then was the time to act the last day of his tragedy. Then must Franklin, the purveyor of the poisons, procure five, six, seven several poisons, to be sure to hit his complexion. Then must Mrs. Turner, the lay mistress of the poisons, advise what works at present, and what at distance. Then must Weston be the tormentor and chase him with poison after poison—poison in salt meats, poison in sweet meats, poison in medicines and vomits—until at last his body was almost come by use of poisons to the state of Mithridates's body, by the use of treacle and preservatives, that the force of the poison was blunted upon him."

Now this was very thrilling melodrama. It presented a shocking picture of cruelty to an unhappy fellow-man. But there were two reasons why a prosecutor should not have stooped to prejudice a prisoner with a string of horrors of this sort. One was that for the most part they were not evidence against the man at the bar, and the second was that they suggested what was not true.

Bacon knew very well that Franklin had never seen or taken any instructions from the Earl. Nor could Bacon have deceived himself with the notion that Weston had continued to chase poor Overbury with poisons. The evidence showed that Gervase Helwys had prevented poison being given by Weston to the prisoner. Mr. Attorney also knew that Overbury had been visited by Dr. Mayerne, and, at Somerset's own instigation, by Dr. Craig, another of the King's physicians, and it was not possible for him to have been poisoned under their very noses without some suspicion of it arising in their minds.

Now the evidence read by Mr. Attorney against the

prisoner amounted to very little from a modern point of view. Much of it was hearsay, and second-hand hearsay at that, and, of course, none of the witnesses were cross-examined or even examined before the peers, who only heard chosen portions of those depositions read which had been carefully taken down and edited by Coke.

But there was a case against Somerset of suspicion, if nothing more. Payton, a servant of Overbury, told how he had carried a letter from his master to Somerset and that the Earl had asked him how his master did. On which Payton told him his master was very sick and that Weston had told him that a powder the Earl had sent had greatly upset Overbury. Whereupon he continued: "My Lord smiled and cried 'Pish!' and so turned away."

Overbury's letter to Somerset was read in which he said: "Drive me not to extremities lest I should say something that you and I repent." Then the evidence of a man named Simcox is given. He said "that Weston many times when Sir T. Overbury was in the Tower told him that my Lord of Somerset charged him to look to Overbury well, for if ever he came out one of us two must die."

This is bold hearsay indeed, and the Earl asks the Court whether Weston had ever said the like of this, but he gets no direct answer, only Mr. Attorney jumps up and says to the Court: "Weston had continually access to my Lord and had rewards from him." There was no such statement made by Weston produced at the trial. Weston, it is true, said that the Earl had given him directions many times before Overbury's going to the Tower to appoint meetings between him and my lady. Somerset, on the other hand, said he never spoke to him, but that it was possible he got some messages to deliver from some third party.

The only medical evidence that was put in was that of the apothecary, Paul de la Bell. His statement was

read, or rather a passage was read, to show that Somerset had asked him about his patient. "Coming to my Lord of Somerset," said the apothecary, "he asked him of Overbury and how he did? and he said 'Ill.' Another time also he sent for him to inquire about Overbury and then he answered him: 'That he was ill but hoped he might recover.' 'What,' says my Lord, 'do you think he would recover if he were at liberty?' And he answered 'Yes.' Again my Lord sent for him a third time; and carrying him into the gallery at Whitehall, asked him how Overbury did. He answered, 'he was very sick,' and further added, 'he found him ill before the 25th of June that he came to him.'"

Somerset denied that he ever saw Paul de la Bell, except once at Theobalds, but Mr. Attorney, glibly accepting the apothecary's statement, triumphantly tells the peers: "Here again you see my Lord falsified."

Lord Coke upon this makes a most extraordinary interruption, rising to inform the Court that: "It was doubted if Loubell (as he calls Paul) might be a delinquent and therefore I durst not examine him upon oath, no more than I did Franklin. But when in their testimony they accuse themselves it is as strong as if upon oath."

Now Paul de la Bell had never accused himself as Franklin had done, and to couple his name with that lying scoundrel was an outrageous libel even for Coke to utter in court. Moreover, it was a foolish intervention, since Mr. Attorney was skilfully using picked portions of Paul's deposition and treating him as a witness of truth.

The whole deposition that Coke had taken on October 3rd was never read to the court and Somerset had not access to it. In it the apothecary makes it perfectly clear that he had acted throughout under the direction of the great Dr. Mayerne, and asserts that he never ministered any physic to Overbury except such as was prescribed by the doctor "for which he had his hand, and doth yet remain in writing what physic in every

particular thing was given him, which now he delivered, twenty-eight leaves or pieces of paper, great or small, which is all the physics that this examinant ministered to him."

Paul de la Bell, it must be remembered, was in constant attendance on Overbury from June 25th until his death on September 15th, and Coke had in his possession, but never produced, the twenty-eight prescriptions showing Mayerne's treatment of him and directions to the apothecary during the whole of that time. Moreover, Coke had a letter from Rochester written in his own hand to Dr. Craig, which I need hardly say he did not produce, though in justice to the prisoner and the peers it should have been read. In this he tells Dr. Craig that "whensoever Sir Thomas Overbury shall desire you to come to him the King is pleased you shall go." Northampton also writes to Helwys that Dr. Craig has the King's authority to visit Overbury "as often as in his judgment to this end he shall find reason." Coke knew, too, that Paul de la Bell declared that Overbury died of consumption, and that if he died of poison at all the evidence was that Paul de la Bell's boy, Reeve, had poisoned him by means of an injection.

After Paul's evidence Northampton's letters to Somerset are read which Somerset acknowledges he received. They go to prove, what Somerset never denied, that he was a party to Overbury's imprisonment, but it was not unfair or unreasonable to use them as some evidence that Somerset was conspiring against Overbury's life.

When these letters have been read the Lord High Steward suggests to Mr. Attorney that it would be a convenient moment to adjourn, and Bacon assents very readily because he has now come to an end of the portion of the case he has allotted to himself and the next chapter of evidence will be opened by his brother, Montague.

Although in our own day it is rare and against judicial custom for a judge to express his views of the guilt of an unconvicted prisoner, any modern judge who did

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so would find ample precedent for his behaviour in the records of the State Trials.

The Lord High Steward had come to obtain a conviction, but he knew how far better pleased His Majesty would be if he could persuade the prisoner to a confession. As the Court is rising he thinks this will be a good opportunity to say a few kindly words to the prisoner, and looking towards him persuasively he says: "My Lord, you have heard what hath been urged against you, and may imagine that there rests much behind. And therefore you had best confess the truth; otherwise you will but more and more wind yourself in."

The Earl of Somerset bowed gravely to Lord Ellesmere, and replied with a touch of anger in his voice: "My Lord, I came with a resolution to defend myself."

The Lord High Steward raised his shoulders slightly and shook his head sadly. Turning to the Earl of Pembroke, who sat on his left, he whispered a word to him, and rising, took his arm and walked out at the back of the dais.

A loud buzz of conversations and discussions arose among the weary audience. The Lieutenant carried his prisoner to his waiting-room. The Court adjourned for an hour.

John Loveston, the King's body servant, who had been sending messages at short intervals down to Greenwich, sent off another pair of oars with a note to the King that as yet there had been no confession and no outburst by the prisoner. As he pushed his way through the crowd in the outer yard he gathered, from the wagers that were called, that already the mob had concluded the verdict would go against the Earl, and he added these good tidings to his message to his master.

Chapter XXXV: *The Peers Give their Verdict*

VILLIERS, to whom Bacon was now paying court, and who had ever reason to be grateful to him for the masterly way in which he achieved the conviction of Somerset, used to say openly in after days that Bacon was unfaithful to all his friends and to himself, no less than to the Earls of Essex and Somerset. The fact probably was that Bacon was never a friend, in the true sense of the word, and was immune from friendship, using the form of it as a stalking-horse for his ambition.

He had used Essex as a stepping-stone to his advancement, and now he was to use Somerset in like manner. Later on, if he had had the opportunity, he would doubtless have so used Buckingham.

But there were some measures to bring about his end, to which Bacon did not care to stoop. He had a real aversion to lying. He draws a characteristic distinction between simulation or falsehood and dissimulation or mere suppression of truth. He had an instinctive bias towards convenient statements and an unconscious antipathy for inconvenient truth, but, like George Washington, he could not tell a lie.

It was for this reason that he left the weakest and most difficult part of the case in the hands of Serjeant Montague. He had to convince the jury that Somerset had played an active part in the actual empoisonment.

Sir Henry Montague was a type of barrister not unknown in all ages. He commenced parliament-man with popular protests against the royal power to impose

taxes at will. But at the age of forty the Recordership of London converted him to saner views, and thenceforth he thought imperially. As the Overbury case was to be the cause of Coke's ruin, so it was also to be the stepping-stone to Montague's advancement to his place, and the shadows of these coming events must have weighed on the Serjeant's spirit when he rose to address the peers on Somerset's share in the murder of his friend.

He had a favourable jury, no doubt, and the moment was well timed for his speech. During the adjournment the peers had discussed the evidence they had already heard, the speech of Mr. Attorney, and the direct hints of the Lord High Steward that Somerset should confess. But juries are baffling creatures, and who shall say during the course of a hearing on what their thoughts are turning? There might still be waverers, there might even be a party for acquittal. And though unskilled in the criticism of testimony they might have discovered that as yet there was nothing to bring Somerset into direct touch with the distribution of poison.

Now it will be remembered that the Countess had written a letter to the Lieutenant in which she had used the pronoun "he" in relation to the sending of tarts to the Lieutenant's wife, and the Commissioners, led by Coke, had fastened on the phrase as referring to Somerset. The King, when he was examining the depositions, gravely doubted this, and also wanted further consideration of another phrase in the letter in which the Countess had said, "I was bid to bid you say that these tarts came not from me," for here again Coke had interpreted the phrase to mean that Somerset had bid the lady.

The King, however, ordered a further examination of the Countess, and in the result it turned out, as he imagined, that the word "he" referred to Overbury, and the person who bid her to say things was Northampton or perhaps Weston. Bacon had been present at the

Countess's explanation and was satisfied with it, and reported to the King the result of it, and from that time onward knew that there could be no excuse for using the letter as evidence against Somerset.

However, we must suppose that the letter was left in counsels' briefs, and that Serjeant Montague was in possession of it. Bacon, in writing to Villiers as late as May 5th, had referred to this important letter of the Countess of Somerset in a very remarkable way, saying: "That part of the evidence of the lady's exposition of the pronoun, 'he,' which was first caught hold of by me, and afterwards by His Majesty's singular wisdom and conscience excepted to, and now is by her examination retracted, I have given order to Serjeant Montague, within whose part it falleth, to leave it out of the evidence." Whether he gave such an order, or merely intended to do so and forgot, or never intended to do so and never did, we cannot say.

It was well known to Bacon that the Countess had never said anything implicating her husband, and before her own trial he was in great fear that after she had pleaded guilty she might "break forth into passionate protestations for his clearing." And though he thought it would be easy to make light of anything she said, yet he adds that "it is better avoided. Therefore," he continues, "my Lord Chancellor and I have devised, that upon the entrance into that declaration she shall, in respect of her weakness and not to add further affliction, be withdrawn."

A direct statement by Lady Somerset that the Earl knew nothing of the poison plot would have been a very awkward thing for the prosecution, and Bacon's letter to Villiers shows that he was well aware of the fact.

The position, therefore, to be gathered from Mr. Attorney's letter is that the Countess had never accused the Earl of being a party to her actions, that the letter, without the false interpretation of it, was no evidence

against Somerset, and that Bacon had directed his assistant in the case, Serjeant Montague, not to use it.

But certain it is that when counsel returned into court and the learned Serjeant opened his part of the case, he did not carry out his leader's instructions, for he made a direct charge against the prisoner of sending poisoned tarts to the Tower.

Among the archives of the State Paper Office there is a report of the trial endorsed in the handwriting of Sir R. Winwood, the Secretary, which gives what purports to be an accurate report of Serjeant Montague's speech. When he comes to deal with the poisoned tarts and Somerset's connection with them he, the reporter, tells us that he spoke as follows: "Concerning the tarts and jellies, first was opened the confession of the Countess of Somerset, taken on the 28th of October, when she confessed that there were no tarts nor jellies sent unto Sir Thomas Overbury, but only such as she herself or my Lord of Rochester did send, which appears by a letter of the Countess of Somerset to the Lieutenant written after this manner: 'I had but one that came safe to me, one tart was broken, etc. I was moreover bid to tell you that if he' (by which was meant the Earl of Somerset) 'did send you any wine, you might drink of it, for in it were no letters, but of the tarts and jellies eat not, but if you send them to your wife say they are for me and keep them for me. Do this at night and then all shall be well, etc.' Upon which followed another examination of the Countess of Somerset taken the 1st of January, when being demanded what she meant by letters she answered she meant perhaps poison."

In the State Trials version of the learned Serjeant's speech you see him shaking his finger at the Earl of Somerset at the bar and saying: "Secondly for the poisoned tarts; at first you sent them good, to disguise the bad; but after came the poisoned tarts which you sent him. And to make this appear that they came from you, continual posts run between you and my

Lady ; and she writes to the Lieutenant, ' I was bid to tell you,' etc."

Now whichever version you read, either the Serjeant actually said that " he " referred to Somerset, or read the letter as a letter which " made it appear " that the tarts came from Somerset, whereas he knew, or Bacon certainly knew, that the letter proved nothing at all against the prisoner and did not refer to him. It must be admitted that Bacon did not open or comment on the letter himself, but was a silent party to the deceit. Also it may be urged that Serjeant Montague did not directly state that the letter referred to Somerset, but " made it appear " that it did, which if he knew all that Bacon knew was equally dishonest.

When the Serjeant had read and commented on the letter, and Bacon had not intervened, but sat silently listening to his colleague deliberately misinterpreting the evidence to the jury, the doom of the prisoner was assured. For here was the one substantial link in the chain connecting Somerset with the poisoning conspiracy. It was the misuse of this letter which undoubtedly convicted Somerset.

There was also the evidence of that scoundrel Franklin that the Countess had shown him letters from Rochester which he had read and remembered, which was a hearsay impossible of contradiction and worth very little. Then there was a story that Somerset had sent Overbury a vomit in a white powder at his own request, and this the Earl had himself acknowledged, and explained that it was a medicine he got from Sir R. Killegrew, who was a personal friend of Overbury. But these things were trivial. Killegrew was examined. He was a courtier who was noted for his skill in making drugs and cordials as many amateurs did in those days. He admitted that he had given three " vomits," as they were called, to Somerset, but had understood that they were for his own use. The Earl relied in his defence very greatly on a letter written to him by Overbury

thanking him for the powder he sent, which he said had agreed with him, but that he did not intend to take any more powders. This letter was proved by Sir R. Cotton, but for some reason or other in the printed reports of the trial it got omitted, and the defence of the Earl to the charge of sending this powder was never known to the world until recent years.

It was now Sir Randolph Crew's turn as third string in the team, and this learned Serjeant leaped to his feet late in the afternoon full of new energy, and in a rousing attack on the prisoner forgot altogether His Majesty's instructions relating to demeanour, so eager was he to express his detestation of the King's late favourite. He was a man of considerable eminence in his profession, had already been Speaker of the House, and at a later date, when he was Lord Chief Justice of the King's Bench, refused to recognise the legality of forced loans and was dismissed from office for his probity.

The opening of his speech is typical of the attitude adopted towards the prisoner by everyone connected with the prosecution, and the eloquence of it may well have impressed the peers. His task was to prove the endeavours of Somerset to destroy and suppress evidence when suspicion had fallen on him.

By the time Serjeant Crew had got to the end of his proofs, the sun had set and candles had been placed upon the tables that the learned counsel might see their papers, and the hall was lighted by torches, the smoke from which flickered up to the gloom of the rafters.

The Lord High Steward now calls on the prisoner to answer the charge. He reminds him of what Festus said to Paul: "'Speak boldly, for we will hear thee this day.' So, My Lord, I say unto you, be not troubled with yourself to imagine your answers shall be abridged by time. It is indeed very late, but we will borrow some hours of the night—we will think no time too long so long as you shall be able to reply."

But before he begins his defence the High Steward

again thinks well to remind him that " your wife yesterday confessed the fact, and there is great hope of the King's mercy if you now mar not that which she made."

But the Earl replies with great dignity, " I am confident in mine own cause and am come hither to defend it," and as well as he may from memory and such notes as he had made of the evidence, he tries to refute the various points against him.

It must be agreed that his defence was not a very successful affair. He spoke, as an onlooker said, " very confusedly," and had no skill in criticising the evidence or in pointing out what was cogent and what was irrelevant.

Of course he had not heard his wife's letter to the Lieutenant read until he came into Court, and he had never heard her explanation of it. When he comes to deal with it, Lord Compton interrupts him, saying: " My Lady in her letter to the Lieutenant writes, ' I was bid to bid you do this.' Who should bid her ? "

Up jumps Serjeant Montague to hinder any answer from the prisoner : " The continual letters between my Lord and her argues that."

Bacon still sat silent. He had promised the King that he would " order Serjeant Montague to leave it out of the evidence." He, the greatest lawyer and advocate of his age, knew that though to the jury the letter must appear damning evidence of the prisoner's guilt, yet in truth and fact it was not evidence against him. False to all the traditions of his profession, he stood by and gave place to the deceit. It must have been a very weak case against the prisoner when the Attorney-General of England had to play such a craven character to hold the drama on the stage.

It was about seven o'clock when the Earl began his speech, and many of the lords and ladies who had filled the benches and seats on the scaffolds and boxes at the end of the hall had grown tired and weary of it all, and having heard the brilliant eloquence of Mr. Attorney

and Sir Henry and Sir Randolph, found poor Somerset's arguments wanting in colour and entertainment. To him it was vital to take up the evidence point by point as he could remember it, and labour to set his answers before the jury. And for an hour or two he spoke to them earnestly and quietly, meeting the interruption of the peers with replies that to the ears and minds of those who heard them seemed poor and idle. For Bacon had so staged the drama that long before Somerset could have his say the whole concourse of the people, including the peers themselves, were saturated with a story of wickedness, intrigue, and foul deeds in which it was difficult not to believe Somerset was actor, art and part.

But though the tired peers shook their heads and smiled at their colleague's feeble efforts to reply to the eloquence and cogent reasoning with which the lawyers had painted his guilt, they all admired the brave stance and undaunted carriage which he maintained to the end of that long day, and even Bacon courteously remarked at the end of his speech that my Lord behaved himself modestly and wittily.

The substance of what the Earl had to say on the matter was what he had said from the first, and what he continued to assert to his dying day. He could not argue with lawyers, he could only assert his innocence, and it is with these words that he ends his plea for life and liberty and commends his case to the censures of his peers: "For my part I protest before God I was neither guilty of nor privy to any wrong that Overbury suffered in this kind."

With this he was withdrawn from the bar, and then, the Lord High Steward having said only a few words about the proofs, for it was getting very late, the peers retired to consider their verdict.

That there were some who doubted whether guilt was proved seems clear, since the peers sent out to know if the two Chief Justices might attend their Council.

How eagerly must Coke, who had played no part all day in the great drama, have welcomed this call to conference. We can be sure that with Coke among the jury all loop-holes would be readily closed, doubts solved, and, when necessary, fresh proofs submitted.

But it is over. The peers return into Court. Each peer holds up his hand in turn and the verdict of each is " Guilty ! "

Then Mr. Lieutenant brought the prisoner again to the bar, and it was noticed that he had taken off his " George " himself.

Mr. Fenshaw calls upon him to say why sentence of death should not be pronounced.

The Earl is still desirous of further arguing the points. He seems, poor man, to have thought of many matters which he might have put so much more clearly, but it is all to no purpose now.

The Clerk stops his rambling words. The Lord High Steward takes the white staff from Sir R. Coningsby and pronounces the sentence of death in due form.

The Earl bows to his peers, beseeching them not without dignity that " as you have been the judges of this day, so you will be my intercessors."

Then my Lord High Steward broke his staff.

The curtain fell on the tragedy.

Chapter XXXVI: *The Man who Knew*

FORTY years after these tragic events, when the Civil Wars had swept the memories of old Court scandals out of the minds of men, there remained living in England the one man who knew the whole truth of the Overbury Mystery.

Sir Theodore Turquet de Mayerne, M.D., the friend and physician of James and his son Charles, and the medical adviser of three generations of statesmen and noblemen of England, was still honoured as the leading physician in the country. For now, in 1655, when Cromwell was Protector, the Council of State, to show their esteem for his quality and abilities and to manifest how acceptable he was to the Government, decreed that as long as he lived he was to be free from all taxes and assessments.

He still had his country house at Chelsea and his town house and consulting-rooms in St. Martin's Lane. He had grown very corpulent and unwieldy, and for some years now had seldom visited his patients. But he received those who came to him for advice, charging very high fees, as became his professional dignity, writing prescriptions and giving opinions in consultation.

But each succeeding year he spent more time at his Chelsea home, where he saw no patients, but busied himself in preparing his *Opera Medica*, which you may read to this day, and making chemical experiments which his humbler neighbours regarded as a form of magic.

He was over eighty, and had outlived his two families and nearly all his contemporaries. You hear, on occasion, in news letters, of the pleasant society at his house at Chelsea when Dorothy Osborne visited there and Sir

Theodore did her the honour to call her daughter. His son, Theodore, might have made her his father's daughter in law as in word, but death called him away at an early age. Soon afterwards his only daughter, Elizabeth, had married a French nobleman, Pierre de Caumont, Marquis de Cugnac, whom Dorothy Osborne described in her spritely way as the "buffle-headed Marquis." And now she, too, "the little Marquise," had died in child-bed, and the old man was absolutely alone.

He and his servant, Stephen Lannan, an apothecary who helped him in his experiments, and acted as his secretary, spent their days together in the great library at Chelsea arranging his papers and preparing his medical treatises for the press.

There was a rumour in Paul's that he contemplated writing something in the nature of a history, for an old man is always buoyant in spirit about new literary undertakings, and Mayerne had been heard to criticise with some severity several of the modern memoirs that the town had received with enthusiasm.

Stephen bought all these chronicles and history of half a century ago, and the old man read and annotated them with knowledge and contempt. Now that England was a Commonwealth, any scribbler could make free with the memory of dead kings and nobles. Anthony Weldon's *Court of James*, Francis Osborne's and Arthur Wilson's histories, *Aulicus Coquinariæ*, *Truth Brought to Light*, and any other volume that dealt with the life of his old master's court found a place upon his shelves. They could bring no truth to light for him, for he knew all the secrets they guessed at—and more. He knew the truth.

Even to the last he went to his consulting-rooms at St. Martin's Lane once a week, and it was then his custom to dine at a tavern in the Strand with a few remaining friends. With these he would now and then unloose his tongue and talk of old days, and correct the

mis-statements of the memorists; upon which his friends were ever at him to write his own memories in the interests of historic truth.

Among those who were generally at his table were young Dr. Craig—himself a man of over sixty, but a youth to Mayerne—who had visited Overbury in the Tower for his father, and Sir Matthew Lister, and some seniors of the profession; all indeed were young men to him, and were glad to keep him company and sit at his feet and listen to his wisdom; but he took less pleasure day by day in these gatherings since, as he said: "Bread is useless when you have no teeth, and music when you cannot hear."

The last time he was with his friends was in March of 1655. He himself ate little, and contented himself with a few glasses of wine, which, after his fashion, he grumbled at, declaring it was naught to the Frontignac which James imported from Hérault in the good old days. When he said farewell to young Craig, he told him he must not expect to see him again—and his colleague rallied him about the memoirs he was writing, telling him they could not spare him until his book was published and the truth of those old days was really brought to light.

The old man sat in his library at Chelsea that evening with a box of papers and letters by his side. He had often intended to write the history of his life. His work as a physician he had already set down carefully and at length, especially the true story of the illness of Prince Henry. But there were so many things that he knew and he only. Every day some new writer brought out a volume of scandal and gossip which, unless it were countered with authority, would in time be read by the world as history. Even that fool Coke had believed Prince Henry was poisoned, and had gone to the grave without having had the advantage of reading Mayerne's treatise on the subject.

Then there was the death of his old master, James.

Mayerne drew a sheet of paper towards him, and the standish, and began making a few notes of the subjects he must deal with. It was thirty years since the King had died at Theobalds of a tertian ague. That meddlesome body, Buckingham's mother, had given the royal patient some medicine of her own preparing. What a pother there had been about it. It was harmless enough. A posset of milk and ale, hartshorn, and marygold flowers. The sort of drench these women love concocting. Harmless and ordinary enough certainly ; but then the powder Buckingham gave him which angered the elder Craig—that was folly enough to start a hundred stories of poisoning.

Then there was that young madman, Dr. Eglisham, who was staying with Matthew Lister at the time, and spread such vile rumours abroad that he had to retire to Brussels, where he published his pamphlet about the King's death.

" Not worth refuting perhaps," said Mayerne, musing over the pages of it, " since no one believes the fellow—but then who knows what a new generation may think of these things when the world I have lived in becomes a limbo of history peopled with shadows ? Yes, I must certainly write a treatise on the King's death, and add to it a full note of my treatment of tertian ague. It is at least as important as the paper I have finished about Prince Henry. Well, that is one thing that must be done. And whilst one is about the task, why not set down all that occurred at the Court of James ? "

The old man paused and gazed into the fire deep in thought. There were secrets. Some that the world might well know—but others ? It were not easy to tell the truth, the whole truth, and nothing but the truth, without offence to the memory of those he had served. Perhaps he had better leave it.

He sat dreaming over the fire. Portraits of old friends and patients framed themselves in the embers. There was the great Earl of Northampton, perhaps the wisest

and wittiest man he had ever known. He remembered the scene at his death-bed, and his last words :

" No, no," he murmured, " such secrets are sacred. They must not be written, yet without them no truth can be written."

Then came to his mind's eye the beautiful figure of the Earl's young niece, Frances Howard. He remembered her as a child playing and singing in the corridors of the great house at the end of the Strand. The brilliant marriage, the fall, and the tragedy. He knew that the King had never intended her death and could remember Bacon being ordered to draw her pardon at once—the price agreed on for her confession. The Earl, too, might have had his pardon, but he remained obstinate and would never deign to ask for it, nor would he chaffer with the King's messengers about a confession. For six years they both remained in the Tower until His Majesty was graciously pleased to enlarge and set them at liberty.

It was more than twenty years since the poor lady had died of cancer and a broken heart. A horrible end. He had attended her in her last illness. Her husband never forgave her. Though much might be said in extenuation of her crime, yet even the true history of it should never be written lest it should come to the ears of her daughter, a girl not perhaps as beautiful as her mother, but of great charm of presence and character.

The old man had been her physician. He looked on the Lady Anne Carr with almost paternal affection. She had been the friend and companion of his daughter Elizabeth. She knew nothing of her mother's history. After her death the Lady Anne was sought in marriage by William Russell, son of the old Earl of Bedford, who, when his son spoke to him about it, shouted at him in passion : " Marry whom you will but a daughter of Somerset ! "

It was the good doctor himself who had persuaded

the King to help the young lovers. And if any marriage was made in heaven, we may believe that this was one, since their son was the great Lord William Russell of famous memory. The old Earl of Bedford lived to know the worth of his son's wife. When he was seized with the small-pox, his own children deserted his house, but she remained with him and nursed him. Like Dorothy Osborne, she caught the dread disease, and it destroyed her beauty, but her courage increased the love of her husband and the esteem and affection of his family. Such a daughter, thought the good doctor, must never know her mother's story.

But there was her father's history, too. He knew the truth of that, and knew that justice had not been done to his memory. Father and daughter had been devoted to each other. When the Earl of Bedford, to checkmate the marriage, had proposed a dowry of £12,000, Somerset had sold his Chiswick home, his plate and jewels, everything he possessed that she might be happy. "Since her affections are settled," he told Mayerne, "I would ruin myself rather than make her unhappy."

"Who but I," said Mayerne to himself, "can tell the true story of James and Robert Carr!" He had never cared for the man in the days of his vanity. Nor had he ever respected Somerset until his master deserted him and he was left without a friend in the world to fight the battle for his honour alone and unaided.

Looking back on the business, Mayerne had to admit to himself that it was a hateful affair. Would it have been any better if he had given his testimony? Could he have given his evidence unless the law called upon him to do so? He had sent all his prescriptions and papers to Coke, and then James had ordered him to Bath to attend the Queen. At the back of his mind the old man felt that he had not played the part of a hero, but then he was not a hero—he was a specialist. His career as a specialist and royal physician would have come to an end long ago if he had meddled with law

and justice, of which he knew nothing, instead of sticking to medicine, about which he was believed to know everything.

Still he took up his pen and made some notes. It might be possible to leave behind him such a writing that the memory of Somerset should be cleared of the cloud of murder. Yet was it necessary? He had been dead now for ten years, and before he died it was generally acknowledged that the verdict against him was a wrong one.

Then, again, who was he that he should take upon himself the task of recording angel and revealer of the sins and follies of those he had known? Nevertheless, there was one scene at which he had been present which he would wish remembered. For a year before his death his old Master—Buckingham being away from Theobalds—had secretly sent for Somerset and met him in the privy gardens, where they had much converse, and the King embraced his old favourite very tenderly and shed many tears. It was at least good the world should know that what wrong the King had done to Somerset was forgiven and the two were reconciled.

As he pondered these things in his heart, Stephen, his faithful servant, came in with the candles to assist his master to his bedroom.

"I have been thinking, Stephen, now I have finished the *Opera Medica* that I will set about writing my memories of the Court of King James."

"You were wont, master, to laugh at those who said silence was the wisdom of fools, and to teach us that taciturnity was a virtue, not an infirmity. Why has the time come to speak abundantly of the past? There are surely better things to remember at our time of life than what happened at Court half a century ago?"

"I have been spending an evening with the past and remembering that there are many things that I alone know of, that happened in the old days, which if they

were written down with discretion, might do justice to the memory of those who are gone."

"What is that to you, master? Remember the text: 'Am I my brother's keeper?'"

Mayerne laughed pleasantly as he rose with difficulty and placed his hand on his man's shoulder.

"You have forgot who asked that question, Stephen. The text comes as a message to me. To-morrow I will begin to write down my memories. After all, they need not be made public as yet, but may lie hid until it is time for the truth to come to light."

But the morrow for writing never came. When Stephen went to his master's room in the morning he found him almost speechless and in great pain. Sir Matthew Lister was sent for, but when he arrived he found his friend and colleague unconscious and dying. It was on the morning of March 22nd, 1655, that the great physician passed away and with the death of Sir Theodore Mayerne died the secret of the Overbury Mystery. He was the man who knew.

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Printed in Great Britain by Hazell, Watson & Viney, Ld., London and Aylesbury.